

REPORT
OF THE
UNITED PROVINCES
JAIL REFORMS COMMITTEE,
1946



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TABLE OF CONTENTS

CHAPTER I

INTRODUCTORY	Page 1
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CHAPTER II

HISTORICAL SURVEY	3
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CHAPTER III

ADMINISTRATION	6
1. Duties of the Inspector General	6
2. Prison Commission	7
3. Minute of dissent by Cols. Jafarey and Oberai	8

CHAPTER IV

PRISON ESTABLISHMENT	9
1. Superintendents of Central Prisons	9
2. Deputy Superintendents of Central Prisons	9
3. Superintendents of District Jails	9
4. Subordinate Staff	11
5. Medical Establishment	11
6. Warder Establishment	14
7. Convict Officers	14

CHAPTER V

TRAINING SCHOOL	16
1. An Institute of Social Work and Research	17
2. Period of Training	17
3. Holidays	17
4. Courses of Study	18
5. Psychology Laboratory	18
6. Daily Routine	18
7. General Suggestions	19
8. Staff	19
9. Stipend	20

CHAPTER VI

TREATMENT OF PRISONERS	21
1. Diet	21
2. Clothing	22
3. Sanitary and Medical Arrangements	22
4. Labour	23
5. Offences and Punishments	24

CHAPTER VII

CLASSIFICATION OF PRISONERS	26
1. Suggested Classification of Prisoners	26
2. Political Prisoners	27
3. Non-political Prisoners	28

	<i>Page</i>
4. Habitual Prisoners	28
5. Mentally Deficient Prisoners	29
6. Classification according to Status	29
7. Classification of Prisons	30

CHAPTER VIII

MODEL PRISON AND STAR CLASS PRISONERS	31
1. Model Prison	31
2. Treatment	31
3. Progressive Stago System	32
4. Staff	32
5. Payment of Wages	32

CHAPTER IX

JAIL INDUSTRIES AND AGRICULTURE	33
1. Cotton Yarn	33
2. Flour Mills	34
3. Wool Carding	34
4. Power-driven Sewing Machines	34
5. Sawing of wood	34
6. New Industries	34
7. Wool Spinning	35
8. Shoe-making	35
9. Metal Works	35
10. Other Industries	35
11. Electricity	35
12. Staff	35
13. Occupational Training	36
14. Agriculture	37

CHAPTER X

REFORMATORY MEASURES AND AMENITIES	38
1. Aim of Punishment	38
2. True Meaning of Reform	39
3. Measures to shorten Imprisonment	39
4. Parole	41
5. Gratuity	42
6. Letters and Interviews	43
7. Educative, Moral and Religious Influences	44
8. Recreation	45
9. Panchayat System	46
10. Other Concessions	46

CHAPTER XI

PREVENTIVE MEASURES	47
1. Measures for the Prevention of admission to prison	47
2. Legal Measures	48
3. Removal of Compulsory Imprisonment	48

	<i>Page</i>
4. Levy of Fines	48
5. Short Sentences	48
6. Indeterminate Sentence	48
7. Police Surveillance	49
8. Probation	49
CHAPTER XII	
TREATMENT OF JUVENILE AND ADOLESCENT OFFENDERS	50
1. Juvenile Delinquents	51
2. Adolescent Offenders	53
3. Probation System	54
CHAPTER XIII	
AFTER-CARE OF PRISONERS	55
1. Importance of After-care Work	55
2. After-care Work in the United Provinces	55
3. Employment of Released Prisoners	55
4. Discharged Prisoners' Homes	57
5. Settlements for Professional Habituals	57
CHAPTER XIV	
GENERAL RECOMMENDATIONS	58
1. Jail Staff	58
2. Hours of Duty	58
3. Holidays	58
4. Quarters	58
5. Education of the children of Jail Staff	58
6. Institution of a Prison Medal	59
7. Transport for Jails	59
8. Laundry	59
9. Sewing Machines	59
10. Disposal of Jails	59
CHAPTER XV	
FINANCIAL	60
CHAPTER XVI	
SUMMARY OF RECOMMENDATIONS	70
CHAPTER XVII	
CONCLUSION	77
APPENDIX A	
COURSE OF STUDY FOR OFFICERS	78
APPENDIX B	
COURSE OF STUDY FOR WARDERS	82
APPENDIX C	
APPARATUS FOR THE PSYCHOLOGY LABORATORY	84
APPENDIX D	
SCALES OF DIET AND CLOTHING FOR POLITICAL PRISONERS	85

CHAPTER I

INTRODUCTORY

1. The United Provinces Jail Reforms Committee was constituted under Home Department (Jails) G. O. no. 4974/XXII—1494-1946, dated October 11, 1946, and consisted of the following persons :

Chairman

- (1) SHRI GOVIND SAHAI, Parliamentary Secretary to the Hon'ble Home Minister.

Members

- (2) SHRI GOPI NATH SRIVASTAVA, Lucknow ;
(3) SHRI DAMODAR SWARUP SETH, M.L.A. (Central), Lucknow ;
(4) SHRI KAMLAPATI TRIPATHI, M. L. A., Banaras ;
(5) MR. MUHAMMAD SHOKAT ALI KHAN, M. L. A., Bulandshahr ;
(6) LT.-COL. M. A. JAFAREY, I. M. S., Inspector General of Prisons, United Provinces.

Member-Secretary

- (7) LT.-COL. G. R. OBERAI, I. M. S., Officer on Special Duty at the Headquarters of Government, United Provinces.

2. The terms of reference of the Committee, as laid down in the letter of appointment, were :

(1) to review the Jail administration with a view to increasing general efficiency and effecting all possible economies consistent with the general welfare of the prisoners and the staff ;

(2) to consider ways and means to improve the inner and external discipline in the life of prisoners ;

(3) to consider the advisability of discontinuing the system of convict overseers and warders ;

(4) to consider whether the existing superior and subordinate staff is adequate and to make recommendations for its reorganisation where necessary ;

(5) to consider the present system of classification of prisoners with a view to introducing such improvements as may be necessary ;

(6) to consider the advisability of establishing a model prison, where Star class prisoners may be confined, as an experimental measure, on a system of wages ;

(7) to consider the treatment of prisoners generally and to make recommendations with regard to the improvement of their diet, clothing education and other amenities ;

(8) to consider the existing medical and sanitary arrangements and to suggest improvements where necessary ;

(9) to consider improvements in jail industries including the introduction of power-driven machinery with a view to enabling them to compete with similar products produced by free labour ;

(10) to consider ways and means to improve reformatory influences in jails with a view to making prisoners good citizens ;

(11) to consider the establishment of a Borstal Institute and the treatment and care of juvenile and adolescent prisoners ;

(12) to consider the working of the Probation system and its extension to other districts in the Province ;

(13) to consider the advisability of introducing a system whereby prisoners may be encouraged to come out of prison on parole for being engaged in agricultural operations or other work of public importance ;

3. The Committee held its sittings at Lucknow on October 21, 22 and 23, November 14 and 15, 1946, and January 2 and March 10, 1947.

4. LT.-COL. G. R. OBERAI in his opening remarks welcomed the members on behalf of the Hon'ble Home Minister and referred to some of the practical and administrative difficulties that might delay carrying out some of the much-needed jails reforms.

5. In order to facilitate its work, the Committee decided to examine the recommendations made by the Departmental Jail Committee, 1939 and to see which of them had been accepted by Government and which of the remaining recommendations would now require to be implemented.

6. The Committee decided to examine the following gentlemen ;

- (1) Shri Bishambhar Dayal Tripathi, M. L. A., Unnao ;
- (2) Shri Ram Ratan Gupta, Kanpur ;
- (3) Rai Bahadur B. K. Ghoshal, Deputy Director of Industries, United Provinces, Kanpur ;
- (4) Khan Sahib Mohammad Mushtaq, Director of Jail Industries, United Provinces, Lucknow ;
- (5) Mr. S. N. Mehrotra, Manager, United Provinces Jails Depot, Lucknow ;
- (6) Mr. D. Majumdar, Faizabad ;
- (7) Mr. D. P. Mukerji, Department of Economics, University of Lucknow ;
- (8) Mr. Kali Prasad, Department of Philosophy, University of Lucknow ;
- (9) Dr. D. N. Majumdar, Department of Economics, University of Lucknow ;
- (10) Khan Bahadur Dr. M. A. Gaffar, Superintendent, Central Prison, Lucknow ;
- (11) Rai Sahib Dr. B. S. Haikerwal, Principal, Queen's College, Banaras ;
- (12) Mr. Mohammad Shafi, Jailer, Juvenile Jail, Bareilly ;
- (13) Mr. P. N. Saksena, Chief Probation Officer, United Provinces, Lucknow.

7. The Committee appointed a Sub-Committee consisting of Col. Oberai, Col. Jafery, Dr. Gaffar, Mr. Kali Prasad, Mr. D. P. Mukerji and Dr. D. N. Majumdar to examine the existing syllabus of the Jail Training School and to advise the Committee on improvements where necessary.

8. An attempt has been made by the Committee to suggest, wherever possible and feasible, radical changes. The Committee has, however, been fully conscious of the great handicap in the shape of lack of trained personnel. The Committee fervently hopes that in due course of time the requisite staff will become available and the United Provinces jails will be working on up-to-date scientific basis.

9. As the money required for carrying out all the recommendations of the Committee may be difficult to find in any single year, the Committee has recommended that the expenditure involved may be spread out over a period of three years as financial resources become available.

10. It is evident that some of our recommendations will involve considerable expenditure, but the Committee wishes to point out that increased outlay is a necessary condition of reform and progress and that it is essential that there should be reform and progress if our Province is to keep up to the standard of civilised countries in the matter of prison administration. Secondly, if the population of convicted persons could be reduced even by 25 per cent., it would not only counterbalance the extra expenditure, but would be a real economy in the long run.

CHAPTER II

HISTORICAL SURVEY

11. A brief history of the prison administration in India, with special reference to our Province, may not be out of place here.

12. The institution of Jails, as we understand them, is of British origin and was introduced in India as part of British administration. Before its advent the usual punishments inflicted on ordinary culprits were :

Beheading ;
Mutilation ;
Branding ;
Fines ;
Confiscation of property ;
Banishment, etc.

13. These punishments did not impose any financial burden on the State as expenditure becomes necessary only when culprits are confined in jails for fixed periods. The Directors of the East India Company were reluctant to spend money on jails and, although jails were modelled on British lines, there was not enough accommodation and there was inadequate food, clothing and medical attention for the prisoners. Jails were run by district magistrates who were known for their indifference and reluctance to this aspect of administration, and hence conditions in jails were extremely bad. In 1835 Lord Macaulay drew attention of the Government of India to the terrible conditions in Indian jails. On his recommendation a Committee was appointed to look into the conditions of Indian jails and the Committee submitted its report in 1838. This was the first Committee in India and it made many useful recommendations some of which were :

(a) that central jails should be built to accommodate prisoners of over one year's sentence and that they should not accommodate more than 1,000 prisoners each ;

(b) that Inspectors General of Prisons should be appointed in all provinces ;

(c) that sufficient buildings should be provided in all jails to accommodate prisoners comfortably.

14. In pursuance of the recommendations of this Committee a central prison was constructed at Agra in 1846. This was the first central prison in India, and was followed by construction of central prisons at Bareilly and Allahabad in 1848, and at Banaras and Fatehgarh in 1864, and at Lucknow (which was then in the Province of Oudh) in 1867.

15. In other provinces the first central prisons were constructed in the following years :

Punjab (at Lahore)	..	..	..	1852
Madras (at Coimbatore)	..	..	..	1857
Bombay (at Bombay)	..	..	..	1864
Bengal (at Alipore)	..	..	..	1864

16. The North-Western Province (the present United Provinces) again led the other provinces of India in appointing the first Inspector General of Prisons in 1844. This appointment was made on an experimental basis for two years which was extended for another four years. In 1850 the Government of India made it a permanent appointment and suggested that each province should appoint an Inspector General of Prisons. These appointments in other provinces were made in the following years :

Punjab	..	..	..	..	1852
Bengal	..	..	..	..	1854
Bombay	..	..	..	..	1854
Madras	..	..	..	..	1854
C. P.	..	..	..	..	1862

17. In 1862 the North-Western Province employed civil surgeons as superintendents of all district jails in place of magistrates. The experiments proved so successful that the Government of India ordered in 1864 that all provinces should employ civil surgeons as superintendents of district jails.

18. The second All-India Committee was appointed by the Government of India in 1864. This Committee made many recommendations some of which were :

(a) they fixed a minimum space for each prisoner in jail, viz. 54 superficial feet and 640 cubic feet per prisoner ;

(b) they recommended improvement in the diet, clothing and bedding, and insisted upon regular medical inspection of prisoners ;

(c) they recommended employment of medical officers to be in charge of central prisons and district jails. The average death rate in 1864 amongst jail population was 40 per thousand and the Jail Committee attributed this high mortality mainly to the absence of medical supervision resulting in many unfit prisoners being employed on hard labour ;

(d) they recommended that every central jail should have cellular accommodation for 15 per cent. of its population ;

(e) they recommended that juveniles should be kept separate from other prisoners and that they should be given education.

19. It appears that in 1864 there was a great controversy whether jails should have cellular accommodation or association barracks. Although cellular accommodation was considered most suitable for prison life, this could not be adopted in India on account of the huge cost involved.

20. In those days there were no berths in the association barracks where prisoners were lodged and there was thus indiscriminate association which was obviously undesirable. This problem was solved by providing raised berths for each prisoner in the barrack. The first experiment was tried in the Agra Central Prison in 1864. This proved very successful and was adopted all over India.

21. The third Jail Committee was appointed in 1877 and reviewed jail administration generally, making rules for keeping accounts in jails, method of obtaining jail supplies, etc.

22. It is of interest to note that even in 1888 the average jail population of the North-Western Province and Oudh was 22,125, the highest compared to other provinces, figures for which are as follows :

Bengal	..	..	..	..	..	15,074
Punjab	..	..	..	..	..	11,875
Madras	..	..	..	..	..	8,419
Bombay	..	..	..	..	..	8,292

23. The fourth Jail Committee on an all-India basis was appointed in 1889, and it laid down elaborate rules for prison administration. The Committee of 1889 recommended the separation of under-trial prisoners and the classification of prisoners into casual and habitual. It also recommended building of a hospital in each jail. Most of the recommendations of the Committee were incorporated in the Jail Manuals of various provinces.

24. The next all-India Committee was the Prison Conference of 1892. It re-surveyed the whole jail administration in India and laid down further detailed rules.

25. The sixth and last Jail Committee was appointed in 1919 and it submitted its report in 1920. This is a very valuable report and touches upon all aspects of prison administration. This report may be regarded as the basis of the present-day jail administration in the country.

26. The first Provincial Committee appointed by the Provincial Government was the United Provinces Jails Inquiry Committee, 1929. The last Congress Ministry had appointed three Jail Committees the last of which was the Departmental Jail Committee of 1939. Many of the reformatory measures recommended by these Committees have already been adopted by Government.

27. In the end, we cannot help confessing that the basis of jail administration during all these years has been mass treatment of prisoners. Ideologically, it was deterrence that guided the units of administration, and not reformation. Hence the entire edifice of jail administration has been built on the basis of keeping rigorous discipline and regimentation of prisoners' lives. Naturally no attention to the individual prisoner could be paid for want of adequate staff, trained cadres and a proper scientific perspective. All these Committees hitherto appointed by the Central and the Provincial Governments made various recommendations for reform, but they did not suggest any radical change in the system of administration and did not devote sufficient time to the reformation of the individual prisoner. Our Committee with all its limitations and failings has made a genuine and sincere effort in this direction. We have felt all along our discussion that a prisoner is a diseased limb of the society to be restored to it, and hence our approach to crime and its treatment has been rational and scientific.



CHAPTER III

ADMINISTRATION

28. The Inspector General of Prisons is the administrative head of the Jail Department. He is generally an officer of the Indian Medical Service who has had considerable experience as superintendent of central prisons. At present he is assisted by an Assistant Inspector General who has been appointed in pursuance of the recommendation of the Departmental Jail Committee of 1939. He is a retired officer of the Provincial Civil Service with no previous experience of work of the Jail Department.

29. In the United Provinces there are six central prisons, forty-eight district jails, one Juvenile Jail, one Reformatory School, one Jail Training School and one Jails Depot under the Jail Department. No other province in India has such a large number of jails and other institutions under the Jail Department. The United Provinces has also the largest prison population in the whole of India which keeps all the jails at full capacity and some of them chronically overcrowded and which necessitates the opening of temporary camp jails. Our Committee has in a subsequent chapter recommended the establishment of Borstal Institutions and the enactment of a Children's Act and eventually the establishment of a number of Remand Homes and Children's Homes and Schools. The result of these measures would be an increase in the number of institutions under the Jail Department in the near future and for a few years to come, though the Committee is confident that after a few years when its recommendation have been given effect to, there will be a considerable fall in prison population and, consequently, a number of prisons may have to be closed.

1. *Duties of the Inspector General*

30. The duties of the Inspector General of Prisons are very exacting. He is expected to visit personally all jails and other institutions under the Jail Department in the course of a year. He has to arrange for the posting of the superior jail staff. He is responsible for jail manufactures and prison industries. He has to arrange for the purchase of raw materials and the marketing of prison products. He has to examine and approve plans for buildings and sanction and check the expenditure on them. He has to approve the transfer of prisoners from one jail to another and to sanction the appointments of convict warders and overseers and the employment of prisoners in outgangs. He has to examine the monthly statements submitted by all jails. He is also responsible for correspondence with Government on various subjects including questions in the Legislatures. He has also to hear appeals preferred by jail officials against their suspensions, supersessions or other punishments.

31. The recommendations of this Committee will not only increase the number of jails and institutions the inspection of which will take more time but they will also increase the work of the Jail Department. The Committee has recommended the establishment of a Model Jail and alterations and modifications in the construction of the existing jails. The Committee has also recommended extension and modernisation of jail industries and organisation of a system of payment of wages to certain categories of prisoners. The Committee has also recommended the inauguration of a number of reforms in almost all aspects of prison administration and all this will involve additional work and labour on the Inspector General of Prisons.

32. The United Provinces Jails Inquiry Committee of 1929 had recommended the appointment of a Deputy Inspector General of Prisons. In the Punjab a Deputy Inspector General was appointed about twenty years ago. A conference of Inspectors General of Prisons in 1929 had also recommended the appointment of a Deputy Inspector General of Prisons to relieve the Inspector General of routine duties and the inspection of less important jails. The Departmental Jail Committee of 1939 had examined the question and after considering the financial condition of the Province contented itself by recommending the appointment of an Assistant Inspector General of Prisons.

33. The matter was examined again by the present Committee in all its aspects at considerable length. The Committee is of the opinion that the present system of inspection and superintendence of jails requires drastic overhaul. It is rather unfair to leave the entire work on the shoulders of one man, however capable he may be, he cannot be expected to do full justice to it.

34. The Committee has recommended far-reaching reforms and changes in several aspects of prison administration, and it is for it to see that the machinery that it proposes to create is a suitable instrument of successfully carrying out its proposals and, from this point of view, it thinks that the one-man regime of administration of prisons is an anachronism. The responsibility of administering 60 penal institutions and looking after the feeding, clothing, accommodation, health, employment of over 30,000 prisoners and then reforming them to become good citizen is a task of such magnitude and importance that it cannot be entrusted to one person without jeopardy.

2. Prison Commission

35. What should be the alternative to the present system of one-man rule. The Committee is of the opinion that the appointment of an Assistant Inspector General of Prisons has hardly improved matters except relieving the Inspector General of some routine work. The Assistant Inspector General can hardly be expected to carry out the various reforms recommended by us.

36. The Committee would like to suggest that the general superintendence, control and inspection of jails be vested in a Prison Commission. The Prison Commission should be a body-corporate with a common seal. It should consist of one Chairman, two Members and one Secretary. The Committee has no objection if the present Inspector General of Prisons be appointed as the Chairman of the proposed Prison Commission. The Chairman and each of the two Prison Commissioners should be personally entrusted with different aspects of prison administration.

37. The Chairman of the Prison Commission should be in general charge of the administration of jails and other institutions. He should look after the diet, clothing, health and sanitation, hospital, water-supply, control of epidemics and general discipline of prisoners, he should also have power of transfer of jail officials and power to hear appeals from jail officials against punishments awarded under orders of the superintendents of jails. One of the Commissioners should be in charge of prison buildings and construction, cultivation, vegetable production, animals and dairies, prison industry, employment of prisoners, marketing of prison products. The second Member should be a psychiatrist or sociologist and should be in charge of the Borstal Institutions, Juvenile Jail, Probation system, Remand Homes and Children's institutions and he should also be responsible for carrying out various reforms and welfare schemes.

38. The Prison Commission should have a non-Member Secretary. He should have good academic qualifications and administrative experience and should possess up-to-date knowledge of current penological ideas and methods. He should also be able to advise the Commissioners on all prison and penological matters. He should also be in charge of routine office work.

39. The Committee has elsewhere recommended that superintendents of central prisons should be authorised to inspect district jails lying within their circle and to order the transfer of assistant jailers and warders. Such delegation will give some relief to the Prison Commissioners from routine work and enable them to devote greater time and attention to the work proposed to be entrusted to them.

40. The Prison Commissioners may be appointed from any branch of provincial services and the selection should be made only on merit. Ordinarily, preference may be given to the United Provinces Jails Service. The Commissioner in charge of reforms may even be appointed from outside if a suitable person is available. The scale of pay for the Chairman should be the same as for the Inspector General. The scale for the Members should be Rs.1,000 to Rs.1,500 pay to be fixed considering service and seniority.

41. The appointment of the non-Member Secretary of the Prison Commission should also be made by selection from any of the provincial services or the Probation service. Here again merit should be the sole criterion. The scale for non-Member Secretary should be equivalent to that of a non-Indian Medical Service superintendent of a central prison.

42. The Chairman should preside at the meetings of the Prison Commission which should normally meet at least twice a month. All matters may be decided by a majority of votes though the Chairman may be given the right to overrule his colleagues in certain matters of emergent nature, or to refer them to Government for decision. Detailed rules

for the working of the Commission may be framed after Government have accepted our recommendation.

43. It may be added that the appointment of a Prison Commission may appear to some as a novel and radical suggestion as it is not in vogue in any province of India. But it may also be admitted that no other province boasts of a radical and advanced penal policy. But the suggestion is not so novel or unpractical as it may appear. The English prisons are being administered by a Prison Commission since 1898 and their administration has won laurels. We, therefore, commend this suggestion to Government for their earnest consideration.

3. *Minute of dissent by Cols. Jafarey and Oberai*

We are not in full agreement with the views expressed in this chapter. We feel that it is not necessary to alter the 'one-man rule' as other similar Government departments with probably heavier responsibilities are also run by 'one man'.

The analogy of the English Prison System does not apply to the jails of these provinces or any other province in this country. In England the ownership and control of the prisons was taken over from private individuals by the State after the Prisons Act of 1877. This Act also provided for the establishment of the Prison Commission under the Home Office to supervise the prisons. In India the management and control of the jails has always been in the hands of the State. In England the Governors of the prisons are in independent control of the prisons, and the Prison Commissioners lay down the policy, and advise on the working of that policy.

With the appointment of Prison Commissioners there will be three virtual heads running the department. It is feared there will be tension and disagreement between the three heads. If matters are decided by majority of votes, as is suggested in the chapter, the position of the head will be false, if he disagrees with the other two Commissioners. On the other hand, power of veto conferred on the Chairman, if used by him, would certainly lead to friction, may create crisis, and would defeat the very object—smooth and efficient running of the department. The Chairman, who would be the head of the department, would be a figurehead only. For the above reasons we consider the present system more satisfactory. One head of the department can produce better co-ordination and uniformity in the working of the department.

We recommend that an Advisory Committee composed as under may be appointed to advise the Inspector General of Prisons as to the general policy for the running of the prison system and the Inspector General may be given a free hand to translate that policy. The Advisory Committee may meet once in two months or oftener if necessary :

Parliamentary Secretary to the Hon'ble the Home Minister ;

One Member of the Legislative Assembly ;

Professor of Psychology or Sociology in the Lucknow University,

or

Principal of the Jail Training School (when a permanent officer is appointed).

CHAPTER IV

PRISON ESTABLISHMENT

1. *Superintendents of Central Prisons*

44. There are at present six central prisons in the Province. Under orders of the Secretary of State for India five posts of superintendent of central prison and the post of Inspector General of Prisons are reserved for officers of the Indian Medical Service who were in civil employ on April 1, 1937. Actually, however, only the post of Inspector General and one post of superintendent are occupied by Indian Medical Service officers, while the remaining four posts of superintendent are held by retired Indian Medical Service officers or promoted jailors. The Committee understands that the Provincial Government have already moved the Secretary of State for the de-reservation of these posts. The question for consideration before us, therefore, is the manner in which these posts should be filled in future.

45. We note that there are two contrary views on the subject : one view advocates that the superintendent of a central prison should be a medical man, combining in himself the executive and the medical charge of the jail; the other view is that the superintendent should be a non-medical man holding only the executive charge of the jail. Successive jail committees have examined the question of the separation of executive and medical functions in central prisons. The Indian Jails Committee, 1919-20 which considered the question at length, came to the conclusion that "as a practical issue, the present system of recruiting superintendents of central jails from the Indian Medical Service and of giving them combined executive and medical charge has proved a success and should be continued." The United Provinces Jails Inquiry Committee, 1929, though it did not suggest the reservation for officers of the Indian Medical Service of any posts other than those already reserved for them, favoured the view that these posts should in all cases go to medical men. We have also considered this question, and we suggest that it is desirable that the offices of superintendent and medical officer should be combined in one and that the posts of superintendent of central prison should continue for the present to be reserved for medical men.

46. As regards the source of recruitment, the Committee recommends that in the selection of these officers preference should be given to ex-military men. A superintendent of a central prison is required to deal with large bodies of men, and he should possess tact and administrative and organising capacity. Service in the Army gives training in discipline and equips one with these qualities.

47. We consider that the duties of the superintendent of a central prison should be extended beyond the control and supervision of his own jail. He already performs certain extra duties in recruiting and transferring warder staff from one jail to another in his own circle. He should also be authorised to order transfers of assistant jailors. In addition, the duty should be enjoined on him of inspecting the district jails lying within his circle. We recognise that the charge of a central prison is a heavy one, and therefore the superintendent cannot be entrusted with these additional duties without being relieved of some of his existing duties.

2. *Deputy Superintendents of Central Prisons*

48. We have recommended above that the superintendent of a central prison should be relieved of some of his duties in order to enable him to visit the district jails located in his circle and guide the superintendents of district jails in better administration and reformation of the prisoners. There is no doubt that there is a deputy superintendent at present, but he is a jailor on the establishment of a central prison. We recommend that the deputy superintendent should not be one of the jailors, but in addition to the jailors and that he should be drawn from the cadre of whole-time superintendents of district jails. In this way we shall be able to get better class of people to be of real assistance to superintendents of central prisons. We further recommend that in order to make the post of deputy superintendent attractive to whole-time superintendents of district jails, deputy superintendents may be granted an allowance of Rs.100 per mensem in addition to their pay.

3. *Superintendents of District Jails*

49. It is a well known fact that the civil surgeon, who is part-time *ex officio* superintendent of the district jail in most of the districts, is a busy officer with a great deal of

departmental work. He has to supervise and inspect not only the civil and police hospitals at the headquarters of the district but also the dispensaries in his district. He cannot, therefore, be expected to discharge his duties as a jail superintendent very efficiently. The work of a jail superintendent is highly technical and only such men as have been specially trained for the purpose can be expected to perform it efficiently. The part-time officers, viz. civil surgeons, are no doubt good medical officers but they have received no special training for jail work. Moreover, the civil surgeons are under the Medical Department and the Jail Department has no say in the matter of their transfer and promotion. The majority of civil surgeons do not like jail work and thus individual attention to convicts with a view to improving their minds and morals is not possible under the existing system. For a well-balanced, comprehensive programme of prison treatment including strict discipline, wholesome food, useful labour, secular and vocational instruction and reasonable amount of recreation, it is essential to employ a superintendent who can devote all his time and energy to this job. Thus only can the convicts be afforded a chance to be trained and converted into law-abiding and useful citizens.

50. The system of having part-time superintendents of jails has been universally condemned. The Indian Jails Committee, 1919-20 recommended that for all district jails with an average population of three hundred and upwards there should be a whole-time superintendent. The Committee went further and suggested that it would be advantageous to provide if possible a whole-time superintendent for even smaller district jails. The Punjab Jails Inquiry Committee, 1925, observed, "There is a general condemnation of the present system under which civil surgeons are *ex officio* part-time superintendents of district jails." It further expressed its conviction that "this system does not make for that personal control and discipline which is so essential a feature of successful jail administration." The Bengal Jails Inquiry Committee, 1927, observed, "We have formed the opinion that the present system by which part-time superintendents are in charge of the large majority of jails, is unsound" and prescribed it as an ideal to be aimed at to have a whole-time superintendent for each jail. The United Provinces Jails Inquiry Committee, 1929, also recommended the appointment of whole-time superintendents for the larger district jails. In case of smaller jails, the civil surgeon's supervision was considered adequate, and that Committee, therefore, did not suggest any change in respect of third, fourth and fifth class jails. The Departmental Jail Committee of 1929 also recommended that there should be whole-time superintendents for first class district jails.

51. The Committee notes with satisfaction that the principle of appointing whole-time superintendents in the larger district jails has been accepted by Government and that whole-time superintendents have been appointed in some of the first class district jails. We consider that this is just the beginning and that the principle should be carried further. The Committee, therefore, recommends that whole-time superintendents should be appointed for all district jails in the Province.

52. As regards the selection of candidates, the Committee is of the view that the majority of the posts should be filled by direct recruitment through the Provincial Public Service Commission. A candidate should hold a degree of Bachelor of Arts, Science or Medicine to be eligible for the post. Graduates of Arts and Science possessing knowledge of Sociology and Psychology and graduates of Medicine with diploma in Mental Science should be given preference. We also recommend that a certain percentage of these posts should be reserved for those already in the service of the Jail Department. We believe that jailers of proved ability, who are between the ages of 30 and 40 years, will offer a good field for such recruitment. It is of course necessary that officers thus drawn from the jail service for appointment as superintendents must be picked men. Such appointments should only be made by selection, and the candidates must be qualified not only by length of service and character but also by general education. We further recommend that a whole-time superintendent, after selection, should be encouraged to undergo training in prison administration in foreign countries to gain better knowledge in criminology and treatment of prisoners.

4. Subordinate Staff

53. The responsibility for the efficient working of jails falls principally on the jailer and his subordinates. The endeavours made in the past to reform prisoners on the mass treatment system have failed. If the principle of individual treatment is to be applied to our jails with any chance of success, our subordinate staff will have to be greatly strengthened. In view of the fact that at present the jail staff are overworked, we recommend that the subordinate staff be increased by 25 per cent.

54. At present the subordinate jail staff consists of two services—executive and clerical—and both are recruited separately. The executive staff consists of jailers and deputy jailers. The deputy jailers are recruited directly and some of them are promoted to the post of jailer. Clerks are also separately recruited. The Jail Manual specifies the duties that are to be performed by deputy jailers and clerks respectively but it also lays down that a clerk may perform the duties of a deputy jailer and a deputy jailer the duties of a clerk. There is thus no real distinction in their duties. Both the United Provinces Jails Inquiry Committee, 1929, and the Departmental Jail Committee, 1939, were unanimous that the designation of “clerk” was not justified. We agree with this view and recommend that the designation of “clerks” should be abolished and that they should be designated as “assistant jailers.” We recommend further that in future 50 per cent. of deputy jailers should be recruited directly and 50 per cent. should be selected from amongst the assistant jailers.

55. We consider that the present system of recruitment of subordinate jail staff which aims at securing men for mere disciplinary purposes should be discontinued and that in future all appointment from the jailer downwards should be made with a view to securing persons who are competent to carry out a thorough study of the prisoners and give them moral and mental training of the most up-to-date nature. To execute such a programme of prison treatment, it is essential to engage in this important work persons who have received good education. We, therefore recommend that only graduates should be recruited to the post of assistant jailer.

56. At present there are no qualified accountants in jails, and deputy jailers and clerks who have no idea of accounts or book-keeping have to perform the duties of accountants. This is unsatisfactory. There is a lot of accounting work to be done in the larger jails and this work should not be left to unqualified persons. We therefore recommend that a service of accountants for the central prisons and a few of the most important district jails should be created and that these accountants should not be transferred to the executive line. We further recommend that, to start with, the strength of the service should be 9.

57. There is a considerable amount of correspondence between the important jails on the one side and the Government and the Inspector General of Prisons on the other. Many of the letters sent out by jails are written in hand, almost illegible. It is highly desirable that such letters should be typed out before they are despatched. Apart from this correspondence there is also a good amount of typing work in the larger jails. We therefore recommend that a service of typists should be created for all the central prisons and district jails of the first class.

58. The Committee recommends that deputy jailers and assistant jailers (clerks) should not be transferred outside their own circles except in very special cases.

5. Medical Establishment

59. The Departmental Jail Committee, 1939, had recommended that the Jail Department should have its own cadre of medical subordinates. The United Provinces Jails Inquiry Committee, 1929, was also in favour of the formation of a special jail medical service. The main arguments in favour of having a separate jail medical service are that while the pay and allowances of the medical staff deputed to the Jail Department are borne by the Jail Department, this Department has no control over their recruitment, selection, appointment, leave, transfer or punishment, and that they are posted to and removed from the Jail Department at the discretion and under the orders of the Inspector General of Civil Hospitals, that they come to jail for temporary duty, that jail duty is very unpopular with these officials and, lastly, that whilst on jail duty, they are debarred from private practice and the compensatory allowance paid in lieu thereof is quite inadequate.

60. The Committee notes that since the report of the Departmental Jail Committee was submitted, Government have issued modified orders in the matter. Under the recent orders of Government members of the Subordinate Medical Service appointed on or after April 1, 1940, are liable for deputation to the Jail Department for a period of three years after they have completed six and before they have completed 20 years of service and for two years after they have completed 12 years and before they have completed 20 years of service. During such deputation they shall be directly under the Inspector General of Prisons who shall exercise over them all such control and powers in respect of discipline, leave, transfer, etc., which the Inspector General of Civil Hospitals would, but for their deputation to the Jail Department, have exercised except that the powers to punish by suspension, removal and dismissal shall not be exercisable by the Inspector General of Prisons. Where in the opinion of the Inspector General of Prisons the conduct of a medical subordinate is such as requires to be punished with suspension, removal or dismissal, he shall report the case to the Inspector General of Civil Hospitals who in such circumstances, shall depute another officer to replace the medical subordinate at fault and shall thereafter take necessary action against him. The orders further provide that if a medical officer on deputation is found to be unsuitable, the Inspector General of Prisons may refer the matter to the Inspector General of Civil Hospitals and ask that he may be replaced, and the Inspector General of Civil Hospitals shall make every effort to comply with such request.

61. It will thus be seen that the main objections to the system under which medical officers from the regular line were deputed to work in the Jail Department for short periods have been removed. When it is obligatory for every member of the Subordinate Medical Service to work for a number of years in the Jail Department nobody will take his deputation to the Jail Department as anything but a part of his normal terms and conditions of service. Apart from these considerations we are also of the opinion that the proposal to have a separate jail medical service is open to several objections. In the first place, it seems to us probable that a medical officer would not enlist in the jail service on a scale of pay at all approaching that at which candidates can be obtained for the general Provincial Subordinate Medical Service. That service includes a very large number of appointments of varied attractiveness, and therefore presents possibilities of ultimate advancement and reward which a separate jail medical service cannot offer. There is again the attraction of private practice. In the Jail Department no such attractions would exist, and therefore it would be necessary to offer a much higher scale of pay. We are quite convinced, in view of these reasons that the plan of a separate jail medical service would involve heavy additional expenditure. It would also necessitate maintenance of an independent leave reserve. In the second place it also seems probable that a medical officer rendering continuous service in jails would after a certain number of years, become disgusted with the monotony of jail life. It has been pointed out to us that medical officers in jails instead of acquiring wider experience, would deteriorate, and that after ten years service in jails they would be "little better than cabbages." The rationale of allowing private practice to medical officers is to provide a stimulus which shall encourage them to keep up-to-date in the ever-changing and advancing science of medicine, and the absence of this stimulus might in the long run have a detrimental effect on the efficiency of a separate medical service within the Jail Department. In the third place, a tendency has already begun, and it is bound to gain increasing force, to press for the use of private practitioners in place of regular medical services. Lastly, in all the provinces of India, with the exception of Orissa, the present system is working satisfactorily, and we do not see sufficient justification for recommending a departure from it in this Province.

62. Although the orders referred to in paragraph 60 were issued in July, 1946, no action has actually been taken on them. We recommend that immediate action should be taken. We further recommend that a roster of all members of the Subordinate Medical Service who are eligible for deputation to the Jail Department should be maintained by the Inspector General of Civil Hospitals, and officers mentioned in the roster deputed to the Jail Department in regular rotation, so that these officers may not consider their deputation as punishment but as a regular and normal incident of their service.

63. There is one aspect of medical administration to which we would like to draw special attention. It is the absence of any trained or instructed nursing. The only nursing available at present is that supplied by convict orderlies and even as regards these men, no systematic course of training in nursing has been provided. We consider that nursing and care of the sick is of greater importance than administration of drugs and surgical interference, and that it is not proper to depend on the convicts alone for nursing. We consider that it is essential to have an efficient and trained nursing staff. Paid nursing attendants—male nurses—should be provided in the jail hospitals at the rate of three for a unit jail of three hundred prisoners. The rate should be 1 per cent for jails with a population below three hundred. These male nurses will form the nucleus of nursing establishment and will guide and train convict hospital orderlies. One of these three shall be on duty during the day and one during the night while the third shall be available to assist and relieve the others at meal times, on Sundays, or when they go on leave. These men should be properly selected, educated to a certain extent and fully qualified in nursing. Demobilised I.A.M. C. nursing orderlies who have received full training in nursing can be suitably employed for this purpose. We are also of the opinion that convict nursing orderlies should be retained. They will assist and supplement the nursing done by the paid nursing orderlies. In central prisons where there is a large supply of long-term prisoners suitable men educated to a certain extent, and of good character should be selected for training in nursing duties and they should undergo a regular course of training before they are entrusted with the duties of independent nursing. A brief syllabus of training to be undergone should be drawn up by the Prison Commissioners. Trained men out of this category who are imprisoned for short terms or have short term to do, should be posted to district jails to discharge similar duties. When men have been thus selected, trained and appointed, it is important that such inducements should be given to them as will ensure diligence and faithful attention to the sick. Special remissions and gratuity should be liberally granted to those who do well. Men who are caught out in irregularities, especially theft of patients' food, should be at once removed and severely punished.

64. The Committee considers that the existing medical staff in central prisons and district jails of various classes is inadequate and cannot be expected to devote the necessary amount of attention to the care and the treatment of the sick. The medical profession has recognised that all those who are to be entrusted with the lives of human beings must have received full medical training. We do not mean to belittle, or throw any aspersions on the capabilities and qualifications the Provincial Subordinate Medical Service, but this class of medical men is being abolished, and the Agra Medical School has already been raised to the status of a college. Bearing in mind the extra expenditure involved, we are of the opinion that all central prisons should have one whole-time graduate on the staff, and the various classes of jails should have the following medical staff :

- (1) Central Prisons—
 - Two Medical Officers.
 - Two Compounders.
 - Nursing attendants as per scale indicated earlier.
- (2) District Jails of the first or second class—
 - One Medical Superintendent (visiting).
 - One Medical Officer.
 - One Compounder,
 - Nursing attendants as per scale indicated earlier.
- (3) District Jails of other classes—
 - One Medical Officer.
 - One Compounder.

65. The Committee was informed that medical officers employed in some of the jails are shared by the Police Department; consequently, the medical work of these jails suffers. We are of the opinion that these medical officers should be exclusively employed for jail work and the Police Department should make their own arrangements.

6. *Warder Establishment*

66. The Departmental Jail Committee, 1939, had recommended that for warders the minimum educational qualification should be Vernacular Final Pass of a Vernacular School or an equivalent class pass of the English School. We endorse this view and recommend that no person who has not received education up to this standard should be recruited to the post of warder.

67. There are a number of posts of warder that have existed for some years past on a temporary basis. The necessity for these posts is unquestionable. We, therefore, recommend that such of these posts as have been in existence for three years or more should be made permanent immediately.

68. At present warders are being frequently transferred from one jail to another. The Committee recommends that warders should be allowed to stay at one jail for about three years.

69. Jail warders during transfer from one jail to another, if they travel with their families draw an extra railway fare of the lowest class for a journey by rail and mileage allowance at annas two for a journey by road. This allowance is considered inadequate by the warders. The United Provinces Jails Inquiry Committee, 1929, made the following observations in regard to this matter : " The Warders further complain that when they are transferred they receive an inadequate allowance for the conveyance of their wives and families and no allowance for the carriage of their luggage. The expenses which they incur thereby are undoubtedly heavy, and the Committee is in favour of allowing Warder staff their out-of-pocket expenses on transfer." The Departmental Jail Committee, 1939, also recommended that, on transfer, warders and wardresses should be granted three third class tickets for self, one for wife or husband and a full or half ticket, as the case may be, for each child. We strongly endorse this recommendation, and hope that it will soon be implemented by the Government. This will only be giving a much needed relief to a class of government servants which already works under a great handicap.

70. The importance of cooking in connection with the treatment of the sick cannot be over-stressed. The convict cooks employed have seldom received proper training and little control is exercised to ensure that the food prescribed by the Medical Officer actually reaches the patients. The Medical Officer should be given special charge of the hospital kitchen. We recommend that a professional cook warder should be entertained for hospital kitchens in central prisons and first class district jails who will direct and instruct the convict cooks. We should further like that cook warders should be employed not only for hospital kitchens but also for other cook houses in all central prisons and first class district jails, to supervise cooking and train convict cooks. These warders should be recruited under the same rules as the ordinary warders with a special allowance, if considered necessary. The Committee further recommends that specialist warders may be recruited for special work in the jails such as carpenters, tailors, blacksmiths, masons and mechanics. They should be given special allowance compatible with the market rates for these artisans.

7. *Convict Officers*

71. The system of utilizing convicts as prison officers and of employing them to supplement the paid officials has long been a special feature of Indian jail administration. The system originated in the prisons of the Malay Peninsula early in the nineteenth century, owing to the short supply of paid warders. It was subsequently introduced in Bengal whence it spread to the rest of India.

72. In this Province there are three grades of convict officers, viz, convict night watchman, convict overseer and convict warder. A convict overseer or convict warder is entrusted with the charge of convicts in an enclosure, barrack or workshop within the jail walls only. A convict overseer may also be employed outside the jail walls but within the jail precincts as an assistant to a paid warder.

73. The United Provinces Jails Inquiry Committee, 1929, recommended that the convict warder class should be abolished and replaced by paid warders and convict overseers should be retained, but should not be placed in a position of real authority. The Punjab Jails Inquiry Committee, 1925, was very strong in its condemnation of the system of convict officers. To quote from the report of that Committee : " In short, most of the unlawful doings inside the jails are attributed to them. If a prisoner is to be beaten, ill-treated or roughly handled it is the convict officials who are deputed to execute the job. If any prohibited articles are to be smuggled in or thrown inside the jails, it is this irresponsible class of subordinates that is found handy. If pilfering is to be done out of the food or the clothing meant for the prisoners it is the resourceful convict placed in the position of a prison officer who can manage the business. He had few scruples when he entered the jail; his jail instead of effecting any change for the better, has made him more daring still." We agree that the convict warders and convict overseers classes should be abolished. The principle of placing one convict in a position of authority over others is open to several grave objections which need not be recapitulated here. We recognise that with the abolition of this class the present strength of paid warders will have to be very considerably increased. But the Committee hopes that in the interest of efficient prison administration the Government will bring this recommendation into effect in the shortest possible time.



CHAPTER V

TRAINING SCHOOL

74. The necessity of a training school for jail officials is great and urgent. Jail work is highly technical and the right treatment of prisoners have now developed into a technique. Various jail committees have recommended the establishment of such training schools.

75. The Departmental Jail Committee, 1939, was also in favour of the establishment of a Jail Training School for jail officers and warders. The recommendation was accepted by Government, but before the school could be set up, the Congress Ministry resigned. The Jail Training School was opened in August, 1940, and except for a short break, it has been functioning since then on a temporary basis. This is the first and, so far, the only Jail Training School in India.

1. *An Institute of Social Work and Research*

76. The Committee had the benefit of a note on the Jail Training School prepared by Shri Gopi Nath Srivastava. The main theme of his note was that the present Jail Training School should be converted into a first class school of social work and research which should be used for imparting training not only to jail officials but to social workers in other departments also. The Committee carefully considered this note and is of the opinion that though it is not strictly within the terms of reference of the Committee, the proposal is a very valuable one. Government is responsible for many social welfare activities through its different departments. Labour officers and labour welfare officers work under the Industries Department; there are co-operative inspectors, rural development inspectors and organisers; there are probation officers who work under the United Provinces Discharged Prisoners' Aid Society, but whose salaries are met by Government (the Committee understands that the probation service will be taken over by Government); and in connection with their prohibition scheme, Government may also require the services of such workers as temperance organisers. All such workers require training in social work. Various departments of Government impart training to new recruits, but that training is not satisfactory as it is not given according to scientific and systematic methods. Social welfare work requires technical equipment and scientific training. With increasing opportunities for social services in India to day the demand for men devoted to welfare work in various fields is growing rapidly.

77. As we have already remarked, the new standards of efficiency in social work demand adequate professional training. The days of apprenticeship method in social work are now gone and efficient social work requires high academic training in various branches of social sciences along with practical field work and social research. For this purpose a school of social work and research is an imperative necessity. A permanent institution of this type will give necessary direction to existing voluntary and State agencies, canalise popular energies into constructive endeavour and meet the expanding demands of a democratic service-State which obviously private philanthropy can no longer satisfy.

78. The Committee, therefore, suggests that the scope of the present Jail Training School should be widened and it should be expanded to become a first class institute of social work and research. This institute can be used for imparting training to various classes of officials employed in different social service departments of the Government. A well equipped school which will give training in various branches of social work and developed research and investigation of social phenomena will be the first of its kind in Northern India, and is bound to prove an institution of great public utility. The aims of this institution should be—

- (a) to provide professional education, including practical training and field work to those who desire to work with either public or private social service agencies;
- (b) to develop sound social thought and to prepare leaders in various fields of social service;
- (c) to train students in the methodology of social research in order to enable them to undertake independent investigation of social problems, and

(d) to prepare students in the work of reconstruction and rehabilitation of the social life of the country.

79. We hold that such an institute should have an eminent sociologist or psychiatrist with wide practical experience of organising social work as its director and he should be assisted by capable lecturers on other branches of social science like Anthropology, Social Psychology, Juvenile Delinquency, Mental Hygiene, Social Case-work, Criminology, Penology, Crime Psychology, etc. The institute should also have a first class library containing latest books on these subjects. The course should be of two years' duration. Candidates for jail training should be given a certificate or diploma according as they take a nine months, course or a four months' course. The Committee hopes that Government will give their earnest consideration to this suggestion.

80. If our recommendation is accepted by Government, it will require radical modifications in the Jail Training School syllabus because our suggestion envisages the Jail Training School as a constituent of the bigger institute of social work and research.

81. The Committee, after making this general recommendation, appointed a Sub-Committee consisting of Lt.-Col. G. R. Oberai, Lt.-Col. M. A. Jafarey, Khan Bahadur Dr. M. A. Gaffar, Principal, Jail Training School, Prof. Kali Prasad, Prof. D. P. Mukerji and Dr. D. N. Majumdar of the Lucknow University to advise the Committee regarding the period of training, curriculum, etc. The Sub-Committee met at Lucknow on November 26 and 29, 1946 and made certain suggestions which are dealt with below.

82. The Sub-Committee whole-heartedly welcomed and supported the proposal for the establishment of an institute of social work and research at Lucknow. Since the proposed institute will be the training ground for Government officials in several departments, the Sub-Committee suggested that Government should appoint a committee to examine the question in detail and suggest ways and means for giving early effect to the proposal.

2. Period of Training

83. At present the period of training for whole-time superintendents, deputy superintendents, jailers and deputy jailers is nine months and that for head warders and warders is five and four months, one batch for five months and the other for four months. The Principal Jail Training School, was of the opinion that the period of training for deputy jailers should be reduced from nine months to eight months. The Sub-Committee was, however, not in favour of any curtailment of the period of training, as it felt that the grant of additional holidays suggested later on, would reduce the period of training by eighteen days. The Principal proposed that 150 lectures each should be given in Penology, Criminology and Psychology which means one period for each of these subjects on each working day. If the period of training is reduced as proposed by the Principal, no margin would be left for accidental holidays, school functions and examinations. The Sub-Committee believed that it was very desirable that the deputy jailers should utilise their stay at the school to the best advantage by devoting considerable time to the study of extra-curricular books from the school library—an opportunity which would not recur later on in their career. This would not be possible if the period of stay at the school were reduced and lectures rushed through and the cadets kept busy from sunrise to sunset. The Sub-Committee was accordingly of the opinion that the period of training for officer cadets should continue to be of nine months' duration.

84. The Sub-Committee also considered the period of training for warders and it was of the view that the training period should be of four months' duration, i.e., first group from August 1 to November 30 and the second group from January 1 to April 30.

3. Holidays

85. The Principal, Jail Training School, was of the view that in addition to the holidays prescribed in the Jail Manual, the School should be closed for ten days during Christmas, four days during Dasahra and four days during Holi. The Sub-Committee was convinced of the desirability of treating the school on a footing different from a jail. It believed that the atmosphere in the School should be that of a serious academic institution. It therefore, endorsed the suggestion of the Principal.

4. *Courses of Study*

86. The Sub-Committee considered the courses of study prescribed for the officer class and the warder class respectively, at length. The Principal, Jail Training School, was in favour of revising the courses of study and of giving greater weight to practical training. He proposed that the number of lectures in Penology and Criminology should be reduced to 150. To compensate for this he proposed that trainees should devote more time to practical prison administration and routine office work by the devoting their morning hours for two months at the end of the term at the Lucknow Central Prison. The Sub-Committee disagreed with this view. The School is primarily meant to be an academic institution and the trainees should be given detailed and full knowledge of subjects like Criminology, Penology, Juvenile Delinquency, Probation, Psychiatry, Mental Hygiene, Sociology, etc. Cadets cannot be expected to get such an opportunity again. Practical work has its importance, but it should only supplement academic knowledge. If greater emphasis is laid on practical prison administration and training in office routine, it will be at the expense of academic studies and would in practice amount to mere apprenticeship training. Given proper academic training, the background of penal policy and technique will be clear and the students will not have any difficulty in picking up office routine and practical prison administration in a short time at any jail to which they may be attached. There seems to be no meaning in having a training school and utilising most of the time in learning clerical and executive work of the prison. The trainees may be sent to the Lucknow Central Prison to see its practical working, they may also visit the Reformatory School, courts, police stations, etc. This will broaden their outlook and enable them to see their work in its proper perspective.

87. In the existing curriculum probation is taught as a separate subject—the Chief Probation Officer delivers six lectures and Juvenile Delinquency is a subject that is taught along with Criminology and partly under Psychology. The Sub-Committee was of opinion that the period of training should not be reduced and as it laid stress on academic studies it felt the Criminology and Penology should be taught exhaustively and that Juvenile Delinquency should have 12 separate lectures. Lectures on social Case-work are being delivered by lecturers in Criminology and Psychology, with social case work and case histories in the Reformatory School twice a week.

88. The Principal, Jail Training School, also proposed that the number of lectures in Psychology be reduced to 150. The Sub-Committee differed from him and suggested that 180 lectures in Psychology with sixty meetings or 120 periods of practical work should be maintained.

89. While maintaining that no reduction in the number of lectures in Penology, Criminology or Psychology was justified, the Sub-Committee had no objection to a reduction being made in the number of lectures in Law or to the elimination of Budget as a separate subject and combining it with Accounts.

90. The courses of study for the officer class and the warder class as drawn up by the Sub-Committee are given in Appendices A and B of the Report.

5. *Psychology Laboratory*

91. The Jail Training School is already equipped with a Psychology Laboratory. But since the Sub-Committee suggested that instruction at the School should be on a more scientific basis it felt that the present laboratory required considerable improvement. A list of the Apparatus for the laboratory, as suggested by the Sub-Committee is given in Appendix C of this Report.

6. *Daily Routine*

92. The Sub-Committee considered that there should be five working days in a week Saturdays being devoted to practical demonstrations in local jails, Reformatory School and

other institutions. The daily routine for officers and warders should be as below :

For Officers Class

5.30 a.m.	..	..	..	..	Bugle call.
6.00 a.m. to 6.45 a.m.	..	..	..	..	Physical drill.
7.00 a.m. to 7.45 a.m.	..	..	..	..	Military drill and musketry.
7.45 a.m. to 9.00 a.m.	..	..	..	..	Break for food and change.
9.00 a.m. to 9.45 a.m.	..	..	..	}	Classes.
9.45 a.m. to 10.30 a.m.	..	..	..
10.30 a.m. to 11.15 a.m.	..	..	..
11.15 a.m. to 12 noon.	..	..	..
12 noon to 12.45 p.m.	..	..	..	..	Lunch.
12.45 p.m. to 2.00 p.m.	..	..	..	..	Practical classes.
2.00 p.m. to 3.00 p.m.	..	..	..	..	Library reading.
3.00 p.m. to 5.00 p.m.	..	..	..	..	Games.
5.00 p.m. to 6.30 p.m.	..	..	..	..	Common Room activities.
6.30 p.m. to 8.00 p.m.	..	..	..	..	Dinner.
8. p.m. to 9.00 p.m.	..	..	..	..	Night call.
9.00 p.m.	..	..	..	..	Private studies.
9.00 p.m. to 11 p.m.	..	..	..	..	Light out.
11.00 p.m.	..	..	..	..

The above timings are subject to slight modification to suit the season.

For Warders Class

5.30 a.m.	..	..	..	..	Bugle call.
6.00 a.m. to 6.45 a.m.	..	..	..	..	Military drill and musketry.
7.00 a.m. to 7.45 a.m.	..	..	..	..	Physical drill.
7.45 a.m. to 9.00 a.m.	..	..	..	..	Break for food and change.
9.00 a.m. to 9.45 a.m.	..	..	..	}	Classes.
9.45 a.m. to 10.30 a.m.	..	..	..
10.30 a.m. to 11.15 a.m.	..	..	..
11.15 a.m. to 12 noon.	..	..	..
12 noon to 12.45 p.m.	..	..	..	..	Break for Lunch.
12.45 p.m. to 2.00 p.m.	..	..	..	..	Library.
2.00 p.m. to 3.00 p.m.	..	..	..	..	Gardening.
3.00 p.m. to 4.00 p.m.	..	..	..	..	Military drill.
4.00 p.m. to 5.00 p.m.	..	..	..	..	Games.
5.00 p.m. to 6.30 p.m.	..	..	..	..	Common Room activities.
6.30 p.m. to 8.00 p.m.	..	..	..	..	Dinner.
8.00 p.m. to 9.00 p.m.	..	..	..	..	Night call.
9.00 p.m.	..	..	..	..	Private studies.
9.00 p.m. to 11.00 p.m.	..	..	..	..	Light out.
11.00 p.m.	..	..	..	..

The above timings are subject to slight modification to suit the season.

7. General Suggestions

93. Certain other matters also came up for discussion before the Sub-Committee. The Sub-Committee was of the view that students should attend the School in uniform. They should not leave the School precincts without permission and they should dine in a common hall preferably from a common cook house. The Sub-Committee felt that it would also be desirable to have a common mess dress for the cadets, but this was a matter which might be left to the discretion of the Principal.

94. We have considered these suggestions of the Sub-Committee with sufficient care and on the whole we agree to them. These recommendations may accordingly be deemed to be the Committee's recommendations.

8. *Staff*

95. The Committee has noted that the staff of the Jail Training School is still temporary. As the School has now existed for several years, such of its employees as have put in satisfactory work should be confirmed. This will give them security of service and free them from unnecessary anxiety.

96. The post of the Principal of the Jail Training School is at present vacant. The acting Principal is no doubt an experienced prison administrator, but he is also the Superintendent of the Central Prison and the Reformatory School. It is too much to expect efficient discharge of all the three functions simultaneously from him. The Committee is of opinion that the Principal of the Jail Training School should have high academic qualifications as well as original research to his credit in Penology, Criminology or allied subjects and that he should have, in addition, administrative experience of prisons and similar other institutions.

97. The above suggestions are without prejudice to our recommendation for enlarging the scope of the Jail Training School to that of an institute of social work and research. If our suggestion is accepted, we hope that it will be possible to absorb the staff of the Jail Training School which we have recommended should be made permanent, and the Government would be well advised to appoint such a person to the post of the Principal of the Jail Training School as may be qualified also to become the Director of the proposed institute.

9. *Stipend*

98. The attention of the Committee was also drawn to the fact that public cadets in the school are given no salary but only a stipend which by itself is rather low. The Committee considers that the present stipend of Rs. 35 for deputy jailers and Rs. 25 for warders is most inadequate. When trainees are deputed to the Jail Training School for training, they incur extra expenses by maintaining their families at home and they have to maintain themselves at a certain standard in conformity with the rules of the Jail Training School. A newly-recruited deputy jailor when he is posted to a jail gets Rs. 60 pay plus Rs. 22 dearness allowance, and an apprentice warder attached to a jail gets Rs. 23 pay plus Rs. 16 dearness allowance. But the same individual when he joins the Jail Training School for training is given a stipend of Rs. 35 in the case of a deputy jailor and Rs. 25 in the case of a warder. Police officers when deputed for training to the Police Training School get their grade pay. The Committee recommends that the cadets whether officers or warders should get their grade pay while under training.

CHAPTER VI

TREATMENT OF PRISONERS

99. The rules for the treatment of prisoners drawn up by the International Penal and Penitentiary Commission in 1929 and subsequently revised, lay down that prisoners in the same category should be given identical treatment and that in the application of the treatment the individuality of each prisoner should be considered. We agree with these principles and consider that the principal aim of the treatment of prisoners should be to accustom them to orderliness and work and to strengthen their moral character.

1. *Diet*

100. There are, broadly speaking, two diet scales in use in our Jails—one for labouring convicts and the other for non-labouring convicts. Labouring prisoners receive six *chhataks* of grain rations at each of the midday and evening meals, while the non-labouring class receive 5 *chhataks* (pre-rationing scales). Both classes of prisoners are also provided with a morning meal. There are special scales of diet for children detained with their mothers in jails, patients in hospitals, woman prisoners, who are pregnant and nursing mothers. There is also a provision that the superintendent may for reasons of health authorise the issue of extra diet to any sick prisoner.

101. The diet scales referred to above, have been arrived at after careful and expert examination and experience has amply proved that they are satisfactory. We do not, therefore, consider that any change in them is at present called for.

102. There is another aspect of the matter, however, to which we would like to draw special attention. It is the question of variation in diet. Expert opinion is unanimous that variety in diet is a great necessity. Speaking of variety in diet, the Indian Jails Committee, 1919-20 observed, "This may sound an unnecessary refinement but when the fact that prisoners have to eat the same food day after day for years is taken fully into account, the importance from the point of view of health of providing some degree of variety, without departing from the essential structure of the dietary, will be realised." The United Provinces Jails Inquiry Committee, 1929, in paragraph 344 of its report observed as followed: "The Committee urges the importance of introducing as much variety as possible into the diets. It is recognised by medical opinion that however good a diet may be it will lose its value if never varied." We, therefore, recommend that as much variety as possible should be introduced in jail diet especially in the *dals* and vegetables provided to prisoners.

103. There is a rule in the Jail Manual that every convict irrespective of religion shall receive on the two festival days of Holi and Id-ul-Fitr an extra issue of one *chhatak* of *gur*. This is generally not recognised as adequate. It has been suggested to us that prisoners should be served special meals on important festivals and jail holidays. This will be a very desirable improvement as it will go a long way towards breaking the monotony of jail diet. It should, however, be borne in mind that no distinction of a communal nature should be made in the matter.

104. To meet the physiological needs of prisoners who are accustomed to non-vegetarian diet, we recommend that two *chhataks* of mutton may be allowed to such prisoners once a week provided that mutton is available in sufficient quantities.

105. We have earlier recommended the appointment of cook-warders who should supervise the work of convict cooks. This will materially affect the quality of the prison diet as these warders will be professional cooks with a sound knowledge of cooking. The scale of such warders should be one warder for every 500 prisoners.

106. A complaint is frequently made about the kitchens in jails. These kitchens vary considerably. The worst type of kitchens are those which are situated in old watch towers or *gumtis*. Most of these *gumti* kitchens are unsuitable as kitchens and should no longer be retained. We consider that it is very necessary to provide every jail with sanitary, well-ventilated and airy kitchens.

2. *Clothing*

107. At present all B and C class prisoners who are sentenced to rigorous imprisonment or transportation for life are supplied with the standard prison clothing. The superintendent of a jail may for reasons of health authorise the issue of special clothing to any prisoner. The ordinary scales of clothing for male convicts consists of two *kurtas*, one

pyjama, one *janghia*, one *langor* (to be issued to those convicts only who use them) one cap, one towel, one *tikoni*, one *chadar* and one blanket. During the cold weather (viz. from October to March), the prisoners are provided with two additional blankets and blanket coat. It is also laid down in the Jail Manual that when its excessively cold, a third blanket should be supplied to every prisoner confined in jails in the plains, but that should not be necessary to issue this extra blanket for more than three months in the winter.

108. The patterns of some of the jail clothes do not satisfy the convicts. The patterns in use in the jails should be modified to meet these views. The Departmental Jail Committee 1939, expressed the view that the clothing worn by a prisoner in jail should as nearly as possible conform to the dress ordinarily worn by him outside the jail. We also consider that the clothing in the jails should be such as would ordinarily be worn by labouring men, and according to this standard, we recommend that the blanket coat should be replaced by a coat made of ordinary woollen material instead of blanketting material and that the use of cap should be made optional. We consider that these improvements can be effected without any detriment to discipline in jails.

109. Under the present rules, the life of cotton coats, *janghias* and *pyjamas* is fixed at one year, that of *chadras* at two years and that of other articles of cotton clothing at nine months. The life of a garment depends largely on the quality of the cloth which is variable and the nature of the work on which the wearer is employed. We consider the period prescribed for certain articles to be rather high and recommend that the period of wear be reduced to : cotton coats, *janghias* and *pyjamas* nine months and other articles six months.

110. We have already referred to the rule which authorises the superintendent of a jail to issue special clothing to any prisoner on grounds of health. We are of the opinion that wider use should be made of this rule than heretofore. The Departmental Jail Committee, 1939 had made a recommendation that during the winter prisoners over the age of 50 years should be given one waist-coat and one woollen *topa*. The Committee considers that this proposal, if given effect to, will provide a great relief to old prisoners during the cold season.

111. Under the present rules A class convicts are permitted to provide their own shoes while B class prisoners are given one pair of full slippers with socks or one pair of *chappals* at Government expense. But C class convicts who constitute the majority of our prison population are not provided with shoes or *chappals*. We consider it very desirable that prisoners be provided with shoes or *chappals*. But in view of the great cost involved, we content ourselves with recommending that prisoners with a sentence of six months or over should be provided with shoes or *chappals*.

112. The utensils at present supplied to prisoners comprise one brass *tasla* and one brass *katori*. These the prisoner puts to all sorts of uses. Superior class convicts are supplied with a *lota*, but C class convicts are not. We consider this is a real hardship for this class of prisoners, and we accordingly recommend that C class prisoners should also be provided with brass *lotas*.

3. Sanitary and Medical Arrangements

113. Objections is sometimes taken to the present latrines on the ground that their number is inadequate. There are also in some jails old pattern latrines which are not good and do not afford sufficient privacy. We recommend that the number of latrines should be increased wherever necessary, and also that a better type of latrines should be built.

114. Bathing facilities in most of the jails in the Province are poor. Some jails have been provided with open platforms, while others just with taps. The Committee is of the opinion that the jails should be provided with proper bath-rooms at the rate of 20 per cent. of the population.

115. The subject of jail lighting is one of first rate importance, yet the present arrangements for lighting are altogether inadequate. The United Provinces Jails Inquiry Committee, 1929, remarked in paragraph 374 of its report that lighting in U. P. jails "varies from poor to very bad". As regards lighting in the barracks that Committee was of the view that it could hardly be worse. The remedy is the introduction of electricity. We have recommended elsewhere that electricity should be made available in all central prisons and the larger district jails.

116. Up till now soap was not allowed to ordinary convicts even from outside sources. Recently, however, the Government have sanctioned the issue of soap for the use of prisoners working in the cook houses. C class prisoners have also been allowed to receive a certain quantity of soap from friends and relatives. From the point of view of personal hygiene the importance of soap cannot be over-emphasised. We accordingly recommend that soap should be supplied to all prisoners at the cost of Government.

117. Many of the hospitals in jails are dark and dreary. We recommend that every jail hospital be brought up-to-date both in respect of buildings and equipment. Some of the jail hospitals are fairly well equipped while others have but poor equipment. We recommend that a schedule of standard equipment should be drawn up for all the hospitals of central prisons and district jails bearing in mind that up-to-date appliances for the diagnosis and treatment of the prisoners should be provided in all the important jails.

118. We consider it a great hardship for patients to sleep inside the barrack in hot weather in the plains. We recommend that patients whose health necessitates it, should be allowed to sleep outside provided arrangements can be made for their safe custody.

119. The Committee is of the opinion that jails should be provided with special anti-malarial equipment—sprays and D. D. T. For want of this equipment anti-malaria work in jails suffers considerably.

4. Labour

120. The problem of prison labour has always been a perplexing one. To quote from the Report of the Indian Jails Committee, 1919-20, "The question of labour in jails raises some of the most difficult problems which have to be solved in connection with prison administration. In the first place, it is necessary to decide what should be the aim or object of the administrator in the selection of jail employment. The court's warrant and the provisions of section 53 of the Indian Penal Code leave no doubt that an offender sentenced to rigorous imprisonment is liable to "hard labour". What is the meaning of this liability? Is the officer to whom the warrant is addressed thereby bound to see that every prisoner sentenced to rigorous imprisonment is, throughout the term for which the court's sentence extends, subjected to hard physical labour? The Indian Penal Code does not attempt any definition of what is meant by "hard labour", but it seems to us to be beyond reasonable doubt that the words do not necessarily mean hard physical labour. This follows from the well-known fact that any form of labour is hard labour, if it is performed under such conditions or for such periods as to constitute a severe physical strain. Every jail officer knows that the question whether any particular form of labour is hard or not largely depends on the task. When, therefore, the Indian Penal Code, provides that every prisoner sentenced to rigorous imprisonment must have hard labour, the direction does not amount to more than an injunction that the prisoner shall be made to work hard at whatever employment is selected, not necessarily one involving severe physical exertion. The direction of the Code in fact does not furnish any guidance as to what principles are to be followed in the selection of prison labour.

"One possible view of the matter is that, in as much as the prisoner is an offender against the State who has for the time being forfeited his rights as a free man, the State is justified, especially as it has to defray the cost of his support, in making the maximum profit, or at least in obtaining the largest possible return, from his labour, regardless of other considerations such as the effect of such treatment on the prisoner. This view was at one time held and acted on in some countries. The prisoner was looked upon simply as a chattel for the time being at the disposal of the State and was exploited ruthlessly. In the end, however, it was recognised that such a procedure is short sighted. It is calculated to arouse in the prisoners' mind a feeling of permanent hostility to society. It fails altogether to furnish any ground for hope that he will not, on release, commit further crime. By neglecting all considerations except that of immediate profit, it sacrifices any prospect of reforming the prisoner and of turning him into a useful member of society.

"We are thus led to the conclusion that the mere extraction of profit cannot be the true object to be kept in view in the selection of prison labour. That object must rather be the prevention of further crime by the reformation of the criminal. It is

customary here to draw a distinction between treatment which is deterrent and that which is reformatory, but we think it is more correct to regard the whole question as one of reformation. This result may be brought about partly by exacting such labour or such an amount of labour as will be distasteful and irksome to the prisoner and so leading him to avoid conduct which will bring him back to prison. It may also be accomplished by giving him forms of labour which will excite his interest, lead him to exert his powers willingly and so enable him to form habits of industry. Lastly, reformation may be assisted by providing a prisoner with such work as will train hand, eye, or mind, or otherwise make him better fitted to earn his livelihood honestly outside the jail. Including all these view under the term reformation, the first conclusion we come to is that the main object of the labour to be provided in prison should be to effect the reformation of the prisoner."

121. While agreeing with these principles we reproduce below some of the principles enunciated by the International Penal and Penitentiary Commission regarding 'work' in prisons :

"Prisoners so sentenced as to be bound to work, should always be supplied with work. Other prisoners should have a possibility of working if they desire it.

"As far as possible, the work should be instructive and of a nature which may enable prisoners to earn their livelihood after liberation. In assigning the prisoners to work, attention should be paid as far as possible to their physical and intellectual capacity, to the profession which they exercise before their imprisonment and, under certain circumstances, to their inclination. The work assigned to young prisoners should be educative in character and should as far as possible teach them a trade.

"The arrangements for work in prisons should be organised as far as possible on the model of free labour. Of the various forms of organisation of prison work, the 'regie' system would usually appear to be preferable, especially from the point of view of the occupational training of the prisoners. The precautions laid down to protect the life and health of free workmen should be equally observed in prisons.

"The maximum number of hours for the daily work of prisoners on working days should be fixed. It may vary according to the different categories of prisoners and the kind of work to be done. The working hours must be fixed in such a manner as always to leave leisure time for the special duties of education and social readaptation.

"It is important to give prisoners some remuneration for the work accomplished."

We quite agree with the principles laid down above and recommend that they should be applied to our jails as far as possible.

122. Keeping the above principles in mind the Committee recommends that all convicts sentenced to simple imprisonment should be encouraged to work at light labour to keep their minds occupied and as a welcome break in the monotony of jail life. *

123. In the United Provinces, undertrial prisoners, if they so wish, are permitted to work at any trade or profession inside the enclosure or yard in which they are confined provided that necessary arrangements can be made in the jail. If an undertrial prisoner works on a trade he is allowed to receive his earnings subject to such deductions as the superintendent of jail considers necessary for the use of the jail tools. The system has not yet been introduced in any other province as it is considered improper to ask an undertrial, whose guilt has still to be proved, to work. In one or two provinces sanction of Government was obtained for giving work to under-trials provided that they asked for it. Even a remuneration was fixed for this purpose. As none of the prisoners came forward to work, the matter had to be dropped. An undertrial prisoner remains idle in jail throughout his stay, except when he goes to court. This idleness enables him, if he is so inclined, to concentrate on mischievous activities, which are harmful to him as well as to the jail. We therefore consider it to be a wholesome principle to put undertrial prisoners to work provided it is on a voluntary basis.

5. *Offences and Punishments*

124. The system of corporal punishment has been in vogue in this country ever since the prisons were organised on a systematic basis. Section 46 of the Prisons Act,

1894 provides for the punishment of whipping in cases of serious misconduct such as assault or use of criminal force. At the same time it is also true that the system has always been criticised. This criticism is based on general humanitarian grounds and on the feeling that flogging is a brutal method of punishment. The International Penal and Penitentiary Commission suggested that "It is desirable to reach a stage where corporal punishment is no longer included in disciplinary punishments."

125. Flogging under the present rules is awarded in case of mutiny, incitement to mutiny, or organised disobedience to rules amounting to mutiny (when the flogging may be inflicted with the approval of the district magistrate) or in case of individual persistent disobedience to rules and of serious assault (when it may be inflicted only after the approval of the Government has been obtained). We admit that these rules contemplate the punishment of whipping to be resorted to only in serious cases, but we consider that the award of this punishment for any offence, however grave, is indefensible. We do not believe in the argument that jail authorities must be invested with some such power to be exercised in extreme cases when other forms of punishment have failed. We held that corporal punishment is highly demoralising and recommend that it should be entirely abolished.

126. Another form of punishment to which public opinion takes exception is cellular or separate confinement. Under the Prisons Act, 1894, separate confinement means such confinement with or without labour as secludes a prisoner from communication with, but not from sight of, other prisoners, and allows him not less than one hour's exercise per diem and to have his meals in association with one or more other prisoners, while cellular confinement means such confinement with or without labour as entirely secludes a prisoner from communication with, but not from sight of, other prisoners. There is also provision in section 73 of the Indian Penal Code for a sentence of solitary confinement which under the jail rules is treated as cellular confinement.

127. The matter was discussed by the Indian Jails Committee, 1919-20 but that Committee did not arrive at any definite conclusion. The question also came in for discussion at the third conference of Inspectors General of Prisons and they recorded it as their opinion that "it was not generally agreed that solitary confinement was in practice an effective deterrent" and resolved that solitary confinement as a form of judicial punishment should be abolished. In England also the separate and the solitary systems of penal discipline have been abandoned as, "the results of either system were disastrous to the physical and still more to the mental health of those subjected to them." The Departmental Jail Committee, 1939 had also recommended the abolition of solitary confinement as a form of judicial punishment. We can see no reason for differentiating between solitary confinement as a judicial punishment and cellular confinement as a jail punishment and consider that the latter should be abolished.

128. There is yet another punishment prescribed by the Prisons Act of 1894 which is still in vogue and which is both unwholesome and unpleasant. It is the imposition of cross-bar fetters. Cross-bar fetters are composed of a single bar for the purpose of keeping the legs apart. This punishment hinders a prisoner from moving freely and interferes in the performance of his daily tasks. The United Provinces Jails Inquiry Committee, 1929 had recommended the total abolition of this punishment. Such punishments as involve degradation or loss of self-respect are out of place in a modern system of prison treatment in which reformation should be the chief aim. We, therefore, recommend that this punishment should be abolished.

CHAPTER VII

CLASSIFICATION OF PRISONERS

129. It is now a universally recognised dictum that proper classification and separation of prisoners is one of the most effective methods of reforming them. Different kinds of prisoners require different kinds of treatment. The object of classification should be, in the first place, to keep the less depraved and younger criminals separate from the older and hardened ones in order to avoid contamination of the former, and, in the second place, to facilitate correctional work by grouping together prisoners of one class who require the same kind of treatment. This subject was discussed at several International Penitentiary Congresses, and it was recognised as far back as 1900 that the adoption of proper methods of classification and provision of adequate means of separation was one of the essential factors in sound prison administration.

130. The only classification of prisoners that exists today is that made on the basis as to whether it is a first or a second or subsequent offence or offences. Prisoners falling in the first category are generally classified as 'casuals' and those falling in the second category as 'habituals'. Again, we have in our Province what may be termed as 'mixed jails.' No doubt, the central prisons at Bareilly and Naini are reserved for prisoners of the habitual class, but in our district jails we have both casual and habitual prisoners living together. Such a system is obviously unsatisfactory for purposes of rehabilitation.

131. We believe that the correct plan accordingly to the latest scientific studies is to send all convicted persons to a reception centre for study by a psychiatrist and psychologist. This study should include the heredity and environment of the prisoner, his physical and mental condition, his previous activities including arrests and convictions and any other information concerning him which may be obtainable and which may be likely to have a bearing on his crime. We recognise that this procedure requires the services not only of prison administrators but of criminologists and psychologists. In our country this branch of science is not yet sufficiently developed and such experts are not generally available. We will accordingly content ourselves with suggesting a modified system which we consider the best under the existing circumstances until better conditions prevail.

1. *Suggested Classification of Prisoners*

132. It is now generally recognised that while the classification of the worst offenders is the most important point to be attended to, the adoption of a system of classification of the best prisoners is also very desirable. Keeping in view this principle, we recommend the following classification of convicted prisoners excepting prisoners of a special type for whom we will subsequently recommend special treatment :

1. Political	{	Casuals	.. {	Star Class.
				Ordinary casuals.
2. Non-political	{	Habituals	.. {	Ordinary habituals.
				Incorrigible and Professional habituals.

133. The classification of prisoners is at present ordinarily made by the convicting court, but if the court omits to do so, classification may also be made by the District Magistrate, and jail authorities may point out errors in classification to Government for final orders. We consider that this system should continue with slight modifications. The courts should be directed to realise the importance of correct classification of convicts at the time of conviction and they should clearly state whether the particular convict is political or not. After admission to jail the prisoner should be carefully watched and if the Superintendent feels that in the light of the prisoner's behaviour in jail or any new data about the prisoner that may have come to the Superintendent's knowledge, the classification needs alteration, he may refer the case to the Prison Commission whose appointment we have earlier recommended, and the orders of the Commission shall be final.

2. *Political Prisoners*

134. The suggestion to recognise a separate class of political offenders who should receive special treatment in jail was made to the Indian Jails Committee, 1919-20, but that Committee did not agree to the suggestion. The matter also came up for discussion before the United Provinces Jails Inquiry Committee, 1929 but it also did not agree to the suggestion mainly on the ground that the case of the political prisoner would be covered by the "better class prisoners" which that Committee had recommended. The creation of a special class for political prisoners was recommended by the Expert Committee on Jail Reforms, 1938 and the United Provinces Jails Reform Committee, 1938. We consider it very desirable to have a separate class for political prisoners. A political prisoner is not really a criminal and requires no treatment. He is imprisoned simply for his convictions. The purpose of sending him to jail is merely to restrict his liberties and check him from giving vent to his views or committing acts which may be considered subversive by the Government in power. We are informed that formerly prisoners in the Province were classified into political and non-political, but the distinction was abolished after a few years.

135. The Departmental Jail Committee, 1939 had suggested the following definition of political prisoners "Political prisoners shall be those who have been convicted of an offence committed with a political motive (but not with the idea of personal gain) exception being made in the case where the offence has been committed with communal or sectarian bias". We have given our careful consideration to this definition. There has been considerable difficulty in evolving a suitable definition of the term political prisoner. In our opinion the above definition should be amended as follows : Political prisoners shall be those who have been convicted of an offence committed with a political motive (but not with the idea of personal gain) exception being made in the case where the person has been convicted of an offence involving violence or incitement to violence against another community or sect.

136. The definition suggested by us covers all offences committed with a political motive. While we feel that communal offences are highly detrimental to social welfare, we admit the principle that even if communal organisations with a political programme undertake to start any movement even for the redress of a restricted object the offence should be considered to be political. This elucidation has become necessary in order to clarify that movements with a restricted motive started by different communities in a haphazard manner are not to be considered as political upheavals unless they have a definite political object in view and are initiated by an organised political party.

137. We recommend the following treatment for political prisoners :

- (a) They should have freedom of association.
- (b) Every group up to ten prisoners should be allowed one paper of its own choice at Government expense and they should be allowed to purchase others at their own expense.
- (c) They should be permitted writing materials and proper arrangements for lighting should be made.
- (d) The diet, bedding and clothing allowed to them should be as per scale mentioned in Appendix D.
- (e) They should not be compelled to do any work except such as they voluntarily choose to do and arrangements for which can conveniently be made. For this purpose the Committee suggests that persons convicted of political offences should be awarded simple imprisonment only.
- (f) Release on parole should be allowed in cases of illness or calamity in the family and they should be allowed, with the consent of Medical Superintendent, to consult any physician or surgeon at their own expense and responsibility in case they are themselves ill.
- (g) They should also be allowed other facilities mentioned in Appendix D.

3. *Non-political Prisoners*

138. 'Non-political' prisoners should be first classified as 'casuals' or 'habituals' according to the procedure recommended by us. A casual prisoner will be one who is a first offender and who lapses into crime not because he has a criminal mentality but on account of his surroundings, physical disability or mental deficiency. All casual prisoners will first be admitted to the class of ordinary casuals. After admission to jails they should be carefully watched and a special study made of their life and surroundings before conviction. Those prisoners whose character during the period of observation is good and who have no criminal tendency in their history or family will after observation for one year be promoted by the superintendent to the Star class. This class should consist of the best-behaved prisoners to whose crime does not indicate moral turpitude or violence of a callous nature. Promotion to or reversion from the Star class will depend on the good conduct and general behaviour of the prisoner. In the following chapter the Committee is recommending the establishment of a Model Prison. All Star class prisoners will be detained in that Jail. The treatment of the Star class prisoners has been considered subsequently, *vide* Chapter VIII of our Report.

4. *Habitual Prisoners*

139. As regards the habitual prisoner, we consider that the greatest possible care should be exercised in the classification and treatment of this prisoner. Our courts which are at present responsible for classification are apt to take the word 'habitual' to mean only a man with a previous criminal record. A man may be discovered to be a 'habitual' on his very first conviction. We have suggested two classes of 'habitual' prisoners : ordinary habituals and incorrigible or professional habituals. The former class will consist of those prisoners who lapse into crime owing to their surroundings or some physical or mental defects and who are not first offenders. The latter class will comprise prisoners who are men of intelligence, competent and often highly skilled and who deliberately prefer a life of crime. The fact that such a prisoner is a first offender does not matter because this man is a criminal by habit. This distinction between an ordinary habitual who must be a repeater and a professional habitual who may be a first offender is of very great importance. As Mr. Churchill said in introducing the Rules for carrying out the Preventive Detention Act :

"There is a distinction well known to criminologists between habituals and professionals. Habituals are men who drop into crime from their surroundings, or physical disability, or mental deficiency rather than from an active intention to plunder their fellow creatures, or from being criminals for the sake of crime. The professionals are the men with an object, sound in mind—so far as a criminal can be sound in mind—and in body, competent, often highly skilled, who deliberately and with their eyes open prefer a life of crime, and know all the tricks and manoeuvres necessary for that life."

140. Under the Jail Manual the following classes of prisoners are liable to be classified as habituals :

(i) any person convicted of an offence, whose previous conviction or convictions under Chapter XII (Coin), XVI (affecting life), XVII (property), or XVIII (documents) of the Indian Penal Code, taken by itself or with the facts of the case, in which he has been convicted, show that he habitually commits an offence or offences punishable under any or all of these chapters :

(ii) any person committed to or detained in prison under section 123, read with section 110 of the Code of Criminal Procedure, 1898 ;

(iii) a person convicted of any of the offences specified in clause (i) above or committed to or detained in prison under section 123, read with section 109 of the Code of Criminal Procedure, 1898, when it appears from the facts of the case, even though no previous conviction has been proved, that he is by habit a member of a gang of dacoits or of thieves, or a dealer in stolen property or concerned with traffic in women ;

(iv) any person convicted of an offence or detained in prison under the corresponding provisions of the Indian Penal Code or the Code of Criminal Procedure, 1898, as applied by order under the Indian (Foreign Jurisdiction) Order, 1902, as amended by the Indian (Foreign Jurisdiction) Order, 1937, or by the authority of any Prince or State in India, who would have been classified as an habitual criminal under the preceding clauses if the order had been passed by a court established in British India ;

(v) any registered member of a criminal tribe ;

(vi) any person convicted by a court or tribunal acting outside British India under the general or special authority of His Majesty, of an offence which would have rendered him liable to be classified as an habitual criminal if he had been convicted in a court established in British India ;

(vii) any person convicted under the United Provinces Goondas Act, 1932 (Act I of 1932).

We recommend that clause (v) above may be deleted.

141. The classification of non-political prisoners should be carefully made and promotion to or reversion from one class to another for good or bad behaviour or for any other sufficient reason should always be possible.

142. We have earlier remarked that certain special types of prisoners should be immune from the classification recommended above. A part from 'civil' prisoners we consider that all children and adolescents up to the age of 21 years and mental defectives are entitled to special treatment. We will deal with child and adolescent offenders separately.

5. *Mentally Deficient Prisoners*

143. There are three types of criminal lunatics—persons who at the time of their trial are found to be of unsound mind, persons of sound mind at the time of trial but acquitted by the court on the ground that at the time of committing the alleged offence, they were by reason of unsoundness of mind incapable of knowing the nature of the act alleged as constituting the offence and convicts who after conviction are found to be of unsound mind. Indian criminal lunatics are at present detained in the Banaras Mental Hospital. But the class of mentally deficient person we have in mind is the person suffering from mental aberration not amounting to insanity in its certifiable form. There are various degrees in mental cases and there are many cases in the Jails which are not certifiable, but nevertheless require special treatment and special care. Such persons are at present detained in the Agra District Jail, but that Jail has neither the requisite facilities for such treatment nor accommodation for all the persons that may be recommended for detention there. We believe that it is possible to make a mentally deficient person an honest worker if he is properly treated. The Departmental Jail Committee, 1939 had recommended the establishment of an institution for mental defectives and the appointment of a psychiatrist in charge of that Institution. We strongly endorse that recommendation, as we feel that such an Institution will relieve the jails of a great many of the difficult and troublesome inmates.

144. The present classification rules recognise racial and class distinctions. The Departmental Jail Committee, 1939 had recommended that no racial distinction should be made in the matter of classification. We are in complete agreement with this view and recommended that such distinction should be abolished.

6. *Classification according to Status*

145. There is another aspect of the present system of classification to which the Committee would like to draw attention of the Government. It is the classification of prisoners into classes A, B, and C according to their mode of living prior to conviction. A person who was accustomed to a better mode of living is given B or A class at the discretion of the Government. We do not think that special treatment should be based on this

ground. Education and good position should be regarded as an aggravating circumstance in regard to crime, rather than an excuse. We recognise that a sentence of imprisonment to educated and better placed often involves greater discomfort, but it should be regarded as a penalty which is due to those who in spite of their advantages of station and education, fall into crime. We, therefore, recommend that the classification into A, B and C classes should be abolished and the general tone of treatment be improved.

7. *Classifications of Prisons*

146. We have so far confined ourselves to the classification of prisoners. The classification of prisons is equally important. The full advantages of classification of prisoners will accrue only when there are separate jails for different classes of prisoners and the population of a jail is homogeneous and consists of prisoners requiring the same kind of treatment and training.

147. Though an attempt has been made at a correct classification of prisoners, the Committee regrets to note that the importance of a correct classification of prisons has not yet been sufficiently realised. Though the central prisons at Bareilly and Naini are reserved for habitual prisoners, there is in existence a group of what may be termed "mixed" district jails. The system of mixed prisons must go. Although there are separate circles or enclosures for different classes in these mixed jails it is impossible completely to segregate the various groups when they are confined within the same jail. Association at odd times and places does take place and messages go across the circles. As we have already said, different kinds of prisoners, require different kinds of treatment. We, therefore, recommend that so far as practicable there should be separate jails for different classes of prisoners. This will enable the staff to devote better attention and to accord suitable treatment to prisoners confined in a particular jail. It is very important, apart from the correctional point of view, to separate the two classes of habituals suggested by us. The greatest care should be exercised in the case of incorrigible habituals. This class should be kept entirely separate from all other types of prisoners. For the irreclaimable long-termers one of the central prisons should be reserved. The selection of this jail should be made from the security point of view. We also consider that Government should not bother about their reformation. The object of their detention should be merely preventive. It is their children who should be the special responsibility of the State. They should be dealt with according to their ages and an honest effort should be made to put them on the road to citizenship.

CHAPTER VIII

MODEL PRISON AND STAR CLASS PRISONERS

148. We have been specifically asked to consider the advisability of having a Model Prison where Star class prisoners may be confined. The Star class has existed in Britain for over half a century. But the Star class, as there constituted, is not strictly defined. The term is applied to convicts "who have not been previously convicted of serious crime and whose previous life has not been habitually criminal or their habits depraved". A prisoner admitted to the Star class is not treated with any lenience in regard to diet, labour, remission, gratuity, etc. He is simply separated from other prisoners. His cell is so situated that he cannot come in contact with prisoners of other classes. The classification is based on enquiries made by the police and other respectable persons named by the convict. The Indian Jail Committee, 1919-20 had recommended the adoption of the Star class system in Indian jails. The system has actually been introduced in most of the provinces. All the three Jail Committees appointed by the last Congress Government were unanimous that it should be introduced in our jails.

149. We have already recommended the creation of a Star class for the best behaved casual prisoners and their accommodation in a separate jail to be known as the Model Prison. In the following paragraphs we proceed to deal with matters relating to the jail and the prisoners to be detained there.

1. *Model Prison*

150. The proposed Model Prison should be constructed more or less on the same plan as a central prison and should have circles on the same model. One of these circles to be called the reception centre, may be used for accommodating in the first instance all prisoners received by the Model Prison. Here the prisoner's history, habits and character will be carefully studied by a psychiatrist. When this investigation leaves no doubt about the desirability of including the prisoner in the Star class, he will be transferred to other circles. We consider that circles in the Model Prison should not be called circles, but houses and they should have suitable names like 'Ganga House', 'Saraswati House', etc. A special feature of the prison will be a large hall to be used for the purposes of recreation, lectures, etc. This hall should be spacious enough to accommodate the entire population of one house.

2. *Treatment*

151. We consider that the general arrangements in the Model Prison should be cheery and bright, more akin to free life outside than to life in the prison. The jail including the barracks should be electrically lit so that the inmates may conveniently read at night. It should be equipped with sanitary bathing and washing places. On the analogy of the Star class in England, we recommend that no differential treatment should be accorded to the inmates of the Model Prison in the matter of diet and clothing.

152. A cinema apparatus should be installed in the Jail for showing pictures for recreational and instructional purposes and the prisoners should be allowed in batches to attend these shows. Any person receiving a jail punishment may be debarred from this privilege for a period to be fixed at the discretion of the superintendent.

153. We also recommend that a radio reception set should be installed with loud speakers in different houses so that the prisoners may hear news and music at specified hours.

154. Frequent lectures on useful and educative subjects with the help of magic lanterns should be arranged. Lecturers should also be invited to talk to prisoners on such subjects as morality, citizenship, farming methods, etc. in simple language and the latter should be encouraged to discuss these subjects and ask questions relating to them.

155. The Committee holds the view that a canteen should be established inside the proposed Model Prison and prisoners should be permitted to purchase ordinary articles out of the money to their credit. This privilege should also be liable to be withdrawn for misbehaviour.

3. *Progressive Stage System*

156. We consider that a progressive stage system should be introduced in the Model Prison. There should be three stages : a prisoner will thus have to pass through two stages before he can get to the first stage. Prisoners, as they cross one stage and are promoted to the next higher stage should be granted some additional facilities and concessions. These may take the form of permission to write extra letters, permission to obtain a larger number of books from the jail library and outside, award of extra remissions, etc.

4. *Staff*

157. We recommend that in addition to the staff that we have suggested for a central prison, the staff of the Model Prison should consist of the following :

(1) Psychiarist	..	..	..	..	..	One.
(2) Head teacher	..	..	..	..	..	One.
(3) Teachers	..	..	..	..	..	Four.
(4) Physical Instructor	..	..	..	..	..	One.

It will be the duty of the psychiarist, as already stated, to make a careful study of all prisoners on admission to the prison.

5. *Payment of Wages*

158. We recommend that, to start with, a scheme for the payment of wages should be brought into effect in the Model Prison. The Committee has noted that the scheme for paying wages to prisoners as recommended by the Departmental Jail Committee, 1939 and approved by Government had to be given up for administrative reasons. The Government may ask the Inspector General of Prisons to frame a detailed scheme and submit it to Government for approval.



CHAPTER IX

JAIL INDUSTRIES AND AGRICULTURE

159. As we have already seen, every prisoner sentenced to rigorous imprisonment is required to labour. Such labour may be industrial or non-industrial. The factories in jails manufacture articles for (a) use in the Jail Department ; (b) use in other Government Departments ; and (c) sale to the public. A Director of Jail Industries was appointed in this Province in the year 1938 and since then jail industries have been showing appreciable progress from year to year. Yet we consider that there is scope for an all-round improvement.

160. The first point to which we would like to refer is the fact that the average output per prisoner in jail does not even roughly approximate to what is produced by a free labourer. It is estimated that the average prisoner in jail does between half to one-third of what would be done by a free labourer of almost equal capacity. An atmosphere should be created under which it may be possible for the prisoner to work as a free man and to put in the maximum amount of work. The second point to which we would draw attention here is that after so many years of practical experience, we find that jail products are not able to compete with similar products produced by free labour. No attention seems to have been paid to designs which are popular in the market. The finish of the articles too is generally poor and fails to create favourable impression on the present day customer.

161. Quite a good number of crafts are taught to prisoners in jails. *Moonj* and *sutli* rope making, mat making, *chick* making, cotton and woollen carpets, *durries*, *newar*, weaving of cloth, etc. are practised in almost every jail. We consider that it is not necessary to multiply the number of crafts taught in our jails. The principal object should be towards the improvement of the quality and the carrying on of those crafts and industries only which the convicts can take to on discharge. For this purpose it is very necessary that a prisoner should be initiated in the training of that craft only for which he is best suited. The question of the prisoner's term of imprisonment should also be taken into account in deciding what craft he can learn with advantage. It would, for example, not be advisable to train a convict with a short sentence in a craft which can be learnt only after considerable practice and time even though the prisoner may show a liking for that particular craft.

162. Of late the prison population of this Province has been showing a downward trend and if our recommendations are accepted, the jail population will be further reduced. There is, therefore likely to be a shortage of labour. Jail factories are already experiencing this shortage of labour. To meet the shortage arising out of a reduction of convict population and to eliminate all forms of labour which are uninteresting and humiliating to the convict, such labour as treatment of aloe fibre or *moonj* fibre, grinding of corn by means of hand *chakkis*, drawing of water from wells, etc. should be discontinued and machinery should be employed to do a great deal of the work which is at present being done by hand by way of hard labour.

163. It was also suggested to the Committee that convicts should be induced to take greater interest in work by allowing them wages. The Committee has already considered the question of the payment of wages to convicts. We intend in this chapter first to deal with those industries which are already being practised in jails and then to discuss what new industries can profitably be introduced in our jails.

1. Cotton Yarn

164. Jail factories have been manufacturing cloth for a considerable time but during the last two or three years this industry has suffered from shortage of yarn. The Committee was informed that for about three or four months in a year the work had to be stopped because sufficient yarn was not available. It was suggested to us that the Jail Department should be self-sufficient in regard to yarn and that for this purpose a small scale spinning plant should be set up in one of the jails. We agree that a small scale spinning plant to provide the necessary quantity of yarn for the jail textile industry should be the ideal to be aimed at. But the proposal to have a spinning mill involves certain practical difficulties. In the first place there is the difficulty of obtaining the necessary machinery. The second

difficulty which we anticipate would be more formidable. Our jails do not consume even one-fourth of the estimated production of an economic unit of a spinning mill. If a spinning plant is set up, the jails would be faced with the problem of disposing of the surplus yarn. That may prove a greater headache than the present shortage of supply. We, therefore, refrain from recommending the setting up of a spinning mill and content ourselves with suggesting the continuance of the existing system. At present the Civil Supplies Department of the Government is distributing yarn. The jail requirements of yarn amount roughly to five to six thousand maunds. It should be possible for the Civil Supplies Department to give priority to jail requirements and allot the Jail Department's quota (which should be raised to meet the actual requirements) before considering the claims of private consumers.

2. Flour Mills

165. We have already made a reference to the practice of grinding of corn by hand *chakkis*. This form of manual labour results in a great wastage of man-power and should be abolished as early as possible. The hand-driven *chakkis* are today engaging about 100 prisoners in central prisons and 25 to 50 prisoners in district jails. These prisoners could be utilized for other work and trained to do more interesting and profitable work which they could carry on even after their release. Savings that accrue to the jails by employing prisoners on *chakkis* would be more than compensated by the fact that on release they will find satisfactory employment. An electric flour mill was started at the Kanpur District Jail several years ago, and has been working successfully. There is a flour mill at the Lucknow Central Prison also. We consider that all the central prisons and the larger district jails which have electricity available should be provided with electric flour mills. Those jails which do not have electricity available should be provided with small diesel oil engines. They are quite cheap to run and do not require elaborate installation.

3. Wool Carding

166. The Central Prisons at Agra and Bareilly employ quite a large number of prisoners on wool carding. It is arduous work and is disliked by prisoners. The carded wool is also not as good. Blanket making is not common to all jails and it should, therefore, be possible to instal carding machines where blankets are manufactured. The Industries Department had tried an improvised carding machine when they were supplying blankets to the Army, and two such machines have been taken over by the Jail Department. We were, however, informed that these machines have not yet worked for want of electricity. We consider that electricity should be provided for the purpose or if that is not possible, diesel engines should be installed to work these machines. These machines are not ideal for wool carding but they will be very helpful till such time as the jails are provided with improved types of carding machines. They are not expensive and are not likely to last very long either. There will, therefore, be no loss on capital expenditure.

4. Power-driven Sewing Machines

167. Tailoring work is being carried on a large scale in the District Jails at Kanpur and Unnao. The Kanpur District Jail has 13 machines driven by electricity ; the rest are treadle machines. We consider that treadle machines should be replaced by power machines in both these jails. The use of power machines will release some labour for more productive work. The country is soon going to have tailoring establishments for the manufacture of ready-made garments. The convicts who would be trained at the tailoring factories at the Kanpur and the Unnao District Jails will find ready employment in these new clothing factories and the existing ordnance factories.

5. Sawing of Wood

168. Wood work is at present being carried on in the Central Prisons at Bareilly and Naini. We recommend that electrically-driven band-saw machines should be installed wherever timber sawing is done. This will facilitate quicker working and release manual labour for other work. Band-saw machines will improve efficiency and ensure neat work.

6. New Industries

169. We will now consider what new industries can with profit be introduced in jails. As we have already emphasised, we do not consider it desirable to multiply the number of crafts that are taught in our jails. Yet we are of the opinion that there are certain new industries which should be started. Such industries are wool spinning, shoe-making and metal work.

7. *Wool Spinning*

170. The Director of Jail Industries stated that there was a scheme in 1939 to instal a small wool spinning plant at the Agra Central Prison and to have extra carding capacity for supplying carded slivers to hand-spinners. The Committee considers that it is very necessary to have a rag-tearing machine so that some of the wool may be reclaimed from the large number of condemned blankets. The Committee strongly recommends that this plant should be installed as early as possible. Negotiations should be started with firms in England or Poland which can supply this plant.

8. *Shoe-Making*

171. The jails at Agra have arrangements for shoe-making. The Central Prison makes hand-sewn shoes and the District Jail nail-bottomed shoes. We consider that both these processes should be continued. We also believe that the manufacture of shoes should be machanised. The Committee was informed that the Industries Dedartment had one or two machines in the Kanpur Leather Working School and were going to instal some more machines to re-organizo that institution. The Jail Department should take full advantage of this scheme and instal machines to supplement the work done by hand. The fact remains, however, that hand-sewn shoes are the best, and this fact should not be lost sight of.

9. *Metal-Works*

172. Metal industries are now very important and at least one of the jails, preferably Aligarh District Jail, should have arrangements for the manufacture of metal articles. We consider that the molting and casting process should be introduced for the production of brass fittings of all kinds, badges, etc., and also die-punching and stamping—both by hand and machine—for the manufacture of the large number of articles which every Department of the Government and the public use every day. The latter process makes possible the production of shapes by one stroke of the lever. It can be adapted for making anything which is today beaten or bent into shape by hand. Metal works can be started in more than one jail, though we feel that since the industry is more or less localised at Aligarh, that jail appears to be best-suited for the purpose. It can get local assistance easily.

10. *Other Industries*

173. The Committee recommends that industries requiring small machines which can be esily mianpulated should be started in jails. Some of these industries are hosiery, including making of under-wear, socks, hosetops and laces including shoe laces. These industries have a very good change of success among juvenile prisoners, and would teach them a trade, which they can take up on release.

11. *Electricity*

174. We consider that a proper development of jail industries will be possible only when electricity is made available to the jails. At present very few jails have electricity. We, therefore, recommend that electricity should be made available in all central prisons and the larger district jails with arrangements for power.

12. *Staff*

175. The Committee notes with satisfaction that since the appointment of the Director of Jail Industries, the industrial department of the jails has been reorganized and new industries introduced such as loom *durries*, cane work, woolen druggets, hand-made paper, leather work, etc. The cash profit of the jails has risen from Rs.1,89,043 in 1938, the year in which he was appointed, to Rs. 7,65,502 in 1945. We have recommended both the mechanisation of certain industries and the introduction of certain new industries. This will result in considerable expansion of jail manufactures and increase of work. We understand that the post of the Director of Jail Industries is still on a temporary basis. We recommend that the post should be made permanent and the status of the Director of Jail Industries should be the same as that of a Deputy Director of Industries in the Industries Department.

176. There is a Jails Depot at Lucknow for the sale of jail-made articles to the public. The Depot has now been made permanent. This institution has been serving

a useful purpose and it has expanded its work considerably. The Depot has at present only one salesman. We consider that one salesman is not enough, and recommend that a second salesman should be provided.

177. There is no staff for shoe-making work at any of the jails at Agra. If our recommendation for the supply of shoes to prisoners is accepted this industry will expand considerably. With the development of shoe industry, the need for technical staff will become all the more acute. We, therefore, recommend that each of the jails at Agra should be provided with the following staff :

One Supervisor.

One Assistant Supervisor.

178. We also recommend the following additional technical staff for the Department :

(a) One Textile Supervisor. He should be a diploma-holder of a first class textile institute in India. The textile industry is the largest industry in the jails and its standardisation is very necessary.

(b) One Master Weaver. He should carry out the instructions of the Textile Supervisor and introduce improvements in textile manufactures.

(c) One Designer. The Jail designs have all become very old and need to be altered frequently. This principle applies especially to carpet weaving, mat making and *durrie* weaving. The Lucknow Central Prison should be provided with an artist designer. His work should not be confined to a per designs but he should get them translated into actual articles.

(d) Two *Kundigars*. It was pointed out the Director of Jail Industries that there was no *kundigar* or textile finisher in the Department for finishing of cloth by the process of *kundi*. His suggestion was to have two *kundigars* who would visit different jails and train convicts in finishing processes.

13. Occupational Training

179. The Industries Department have under consideration a scheme of starting occupational institutes at Agra, Meerut, Bareilly, Kanpur, Gorakhpur, Banaras or Allahabad under the five years Emergency Plan of Post-War Period of the object of training in these proposed institutes will be to impart technical training to young men in useful vocational and industrial occupations with a view to increasing their productive and earning capacity and at the same time providing the requisite skilled personnel for the industrial development of the Province. For this purpose some of the existing Government Industrial and Technical Schools are proposed either to be abolished or amalgamated with the proposed occupational institutes. The period of training at these institutes is proposed to be from one to two years.

180. The Committee was informed that the Government have approved the scheme for starting an occupational institute at the Government Technical Institute at Lucknow during the year 1946-47, and that the orders sanctioning the staff, etc. have already been conveyed to the Director of Industries, United Provinces.

181. For the Lucknow Occupational Institute the following trades have been proposed :

- (1) Blacksmiths.
- (2) Carpenters and joiners.
- (3) Engine drivers (steam).
- (4) Engine drivers (I.C.)
- (5) Fitters.
- (6) Turners.

(7) Instrument mechanics (electrical and mechanical).

(8) Plumbers.

(9) Welders.

(10) Copper and tin smiths and tool makers.

The number of trainees will be about 230.

182. The Committee recommends that a certain number of seats may be reserved for the Jail Department at this institute, and prisoners with good conduct should be sent there for receiving requisite training.

14. *Agriculture*

183. The importance of agriculture in the national economy of the country cannot be over-emphasised. The vast majority of the prisoners in our jails come from the agricultural sections of the population. Our efforts should not, therefore, be concentrated on industries alone. It should be our aim to impart to prisoners knowledge of agricultural methods which they can usefully employ in their agricultural operations after release. We recommend that agricultural farms should be started in jails where the prisoners may be trained in the use of inexpensive implements and improved methods of agriculture.



CHAPTER X

REFORMATORY MEASURES AND AMENITIES

1. *Aim of Punishment*

184. Crime may be defined as an offence against the community and the community endeavours to prevent crime by punishment, etc. The entire question of crime and punishment is one of great social importance, but it is only during the last hundred years or so that the question has been scientifically studied. Different schools of thought have suggested different objects which legal punishment should have in view; the retribution of society upon the wrong-doer, the expiation of the offence, the reformation of the law-breaker, the deterrence of other potential criminals, etc.

185. Punishment had its origin in the society's desire for vengeance and retribution for a wrong done. Mankind in the earliest times made short shrift of the criminal and so there was no need for prisons. With the march of civilisation and greater development of education and ethics it came to be considered hard and unfair to finish off a life for every breach of the law. The prisons, therefore, came into existence. Since retaliation was the guiding motive, the prisons were designed to that end. Life in them was extremely hard and miserable. Gradually the object of punishment changed and emphasis was shifted from retaliation to the protection of the society against the depredations of its erring members. In order to ensure against recidivism it was considered that prisons should be made an object of terror so that even one short stay in jail should be sufficient to keep back a man from those paths of life which lead to prison. A person committing an offence was thrust into prison and then forgotten. No one enquired or cared what happened to him after the gates of the prison had closed upon him. Similarly, no one troubled to think what happened to such a man if he survived his sentence or was prematurely released. The less one saw of him the better. Any idea of reforming the criminal so that he should mend his ways and become an honest and law-abiding citizen was entirely absent.

186. Fortunately, however, those days are now over, and the conscience of the general public is gradually but steadily being aroused. An attempt is now being made to understand what crime is, to seek out and remedy the causes of crime and to understand the meaning of prison, to gain an accurate knowledge of the aims and methods of prison administration, etc. Penologists now regard the following as true objects of imprisonment :

- (a) to give a temporary relief to society against the activities of the offender ;
- (b) to deter the criminal and potential offenders from similar acts ; and
- (c) to refit the offender for constructive work after release.

In so far as the first object, viz. affording a temporary relief to society is concerned, the purpose is well served by the offender's detention behind the prison bars. The stigma of conviction and the unpleasant sense of detention depriving the individual of the liberties of movement and association serves the purpose of deterring the prisoner and potential criminals from criminal pursuit. Thus, the tortures attached to prison life, beyond those inherent and involving in the curtailment of liberty and the stigma of conviction, have become absolutely superfluous and unnecessary. The general tendency of modern ideas is towards the view that severity alone has little effect in reclaiming the criminal, and that what is required is rather humanising and reforming influences which will lead to the prisoner realising the essentially evil results of crime on himself and others, and will result in a real reformation of character and purpose.

187. It will not be out of place here to make a brief reference to the view that is gaining ground in the modern world, that punishment as a means of checking crime is absolutely futile. It is claimed that records of repeated punishment even for serious crimes run high. Indeed, Mr. Thorsten Sellin, in his studies for the American Law Institute, found that more than half the inmates of penitentiaries—wherein only serious offenders are confined—have been in penitentiaries once or oftener before. From such figures Mr. Sellin draws the pessimistic conclusion that punishment, instead of preventing crime, leaves men *seven times more likely to offend than those who have not been punished*. The advocates of this view assert that punishment is incapable of turning its victims back to freedom better able to live honestly than before. On the contrary, it releases them as mentally backward and as subject to all the causes of crime as before it touched them. They go forth, in fact,

even less equipped to withstand the pressures of economic competition than before—the mechanic untutored in the developments of his trade, the accountant's skill rusty from disuse, the labourer too soft for a full day's work. It is further contended that never in history have men been stayed from grasping at gain by the threat of pain or death. Effective prevention requires something other than punishment—not something in addition but an outright substitute. In relation to the existing conditions in this country, however, we consider this view to be rather extreme, and we shall proceed on the assumption that punishment of the wrong-doer is a necessity.

2. *True Meaning of Reform*

188. We consider that though improvement of the conditions of prisons and prisoners is very necessary for the reform of the criminal, it will not solve the problem in its entirety. Reform of an individual, while in detention, is but one aspect of the problem of reformation. Our ideal should be to prevent men from committing crime so that subsequently they may become law-abiding and respectable members of the society. Two principles emerge from this line of thought : one that howsoever well we may reform our prisoners while in jail, much of our labour will be wasted if we do not lend them a helping hand after release ; the other that we should endeavour to find out and to apply other methods—apart from imprisonment—which would be equally efficacious in preventing crime and protecting society, without the evil effects on the offender which imprisonment so often has.

189. Accepting the proposition that judicial punishment is justified to the extent that it aims at the reformation of the offending individual, the next question is with regard to the correct methods of reformation. In some places there has been a tendency towards what may be called 'pampering the prisoner'—towards making the system almost devoid of the element of punishment. In other places, on the other hand, there is in evidence a tendency towards over-emphasising the importance of treating the criminal as a pathological subject. "There has been variance in the same places even in the last few years, and there has been recently, in certain important places, a marked reaction in favour of coercive measures." The United States of America have embarked in the past century on the most varied experiments of a far-reaching character aimed at eliminating the coercive element from their prison system. At the same time it is also true that in the last few years the most repressive laws witnessed by the modern world have been enacted in New York. We are referring to the Boehm Laws under which a man convicted of three felonies is, on his fourth conviction for the same offence, sentenced to imprisonment for the rest of his life, and a man convicted of highway robbery receives a minimum sentence of fifteen years on his first conviction.

190. We consider that the system should be, as far as possible, 'reformatory' but "it must be also, if punishment is to have any meaning, coercive, as restraining liberty ; deterrent, as an example ; and retributory, in the sense of enforcing a penalty for an offence." In other words, the system must respect the reversionary rights of humanity, and while inflicting punishment for an anti-social act, must not lose sight of the duty of restoring, if possible, the offender to society as a better man or woman. Great care has to be exercised in applying these methods to our prison system.

191. We shall confine ourselves in the present chapter to a consideration of the factors which will reform a prisoner, while subsequently we shall discuss measures for preventing committal to prison and measures for the aid of prisoners on discharge.

3. *Measures to Shorten Imprisonment*

192. The most valuable method of promoting the prospect of the reformation of criminals and of reducing the economic waste which is involved in imprisonment, is the provision of a machinery which may lead to the shortening of sentences of prisoners who maintain good conduct in jail and who may be released without danger to society. The importance of such measures has now been recognised in all the progressive countries of the world. The rules under which prisoners may be prematurely released in the United Provinces are as follows :

(a) *Remission System*

193. The remission system has long been recognized as a potent factor in the reformation of prisoners, and in the case of Indian Jails, some people claim it to be by far the most powerful incentive to good conduct and industry,

194. Under the present rules all prisoners excepting those sentenced under section 2 of the Frontier Murderous Outrages Regulation, 1901 and those sentenced to rigorous imprisonment for less than three months earn ordinary remissions. There is also a provision that no ordinary remission shall be earned in respect of any sentence of simple imprisonment except for any continuous period not being less than one month during which the convict labours voluntarily, if the imprisonment is for a period of less than three months. Remissions already earned are liable to be forfeited in case of conviction, after admission to jail under sections 147, 148, 152, 224, 302, 304, 304A, 306, 307, 308, 323, 324, 325, 326, 332, 333, 352, 353, or 377 of the Indian Penal Code, or in case of an assault on a warder or other jail officer.

195. The scale of remissions is as follows :

(i) Two days per month for thoroughly good conduct and scrupulous attention to all prison regulations.

(ii) Two days per month for industry and the due performance of the prescribed daily task. A convict in hospital or in an invalid gang will get no remissions under clause (ii), unless the medical officer certifies that the convict's absence from labour is due to causes beyond his control and is in no way caused by any action of the convict himself with a view to escaping work or getting into or remaining in hospital. In lieu of the ordinary remissions, convict warders receive eight days of ordinary remissions per month, convict overseers six days per month and convict night watchmen five days per month. Convict overseers employed on duty on the main walls or side the barracks at night receive two days' ordinary remission per month in addition to the six days' remission referred to above. Special remission may also be granted to prisoners for special services, but there is a rule that the total remission in case of an individual prisoner must not exceed one-fourth part of the sentence without the special sanction of the Government.

196. According to these rules a prisoner can get only four days' ordinary remission in a month. It was suggested to us that the scale of ordinary remissions should be made more liberal. We recommend that prisoners may be granted three days' remission for good conduct and three days' remission for industry and work or a total of six days per month.

197. We also consider that the limit laid down in paragraph 87 of the Jail Manual that the total remission in any case should not exceed one-fourth part of the sentence operates harshly in the case of prisoners who have an exemplary conduct and who also devote themselves zealously to their tasks. It has been urged before us that the limit of total remission should be raised from one-fourth of the sentence to one-third. A resolution to this effect was also adopted by the Sixth All-India Conference of Inspectors General of Prisons in 1939. We consider that remissions offer one of the best incentives to the prisoner to reform himself, and we recommend, therefore, that the limit prescribed in paragraph 187 of the Jail Manual should be raised to one-third of the sentence.

198. Under the present rules a prisoner who receives no jail punishment beyond formal warning for a continuous period of one year, earns remission at the scale of 15 days for every year in which he has received no punishment. We consider this scale to be rather low. The Departmental Jail Committee, 1939, had recommended that a prisoner having no punishment for three years should be allowed two months' good conduct remission. We are also of the opinion that as a further incentive to good conduct it will be a desirable thing to award good conduct remission of sixty days to prisoners on completion of three years of good conduct without any punishment. When a convict has been well-behaved and has not been punished for three consecutive years, he should be allowed a total of three months of good conduct remission. The prisoner should get 15 days' remission for the first and second years, but on the expiry of the third year he should get instead of 15 days' remission a remission of two months. This will, however, be subject to the proviso that the total remission granted does not exceed the maximum limit, i.e., one-third of the sentence suggested by us.

of habituals become eligible when the convicts have completed two-thirds of their sentence excluding remissions. In every such case the Superintendent of the Jail gives a report on the effect of imprisonment undergone by the prisoner and on the convict's suitability for release. The papers are then sent to the District Magistrate for recommendation. The revising board in making its recommendations, bases its opinion on the reports furnished by the Jail Superintendent and the District Magistrate.

200. There was a suggestion before the Committee that the revising board in making its recommendations should not take into account the 'administrative' aspect of the case and should base its opinion solely on the report made by the Superintendent of Jail. In other words, the case should be referred to the district authorities only after it has been considered by the revising board and the board recommends release. We considered the suggestion with care, but we are unable to recommend any departure from the existing procedure. The suggestions, if given effect to, will no doubt afford relief to district and police officers, but it will at the same time increase the work of the revising board and make the entire procedure more complicated. Moreover, the revising board when considering the case of the convict should be in possession of all the facts of the case: conduct in jail, effect of imprisonment, history of the convict and short summary of the crime for which the prisoner has been imprisoned. We are therefore of the opinion that the existing procedure should continue.

(c) Probation Act

201. There is a Prisoners' Release on Probation Act (VIII of 1938) and sections 2 and 8 of the Act provide for premature release of prisoners convicted under certain sections of the Indian Penal Code on certain conditions. According to the rules made under this Act persons convicted of certain specified offences are not eligible for release. We consider that the list of such sections should be carefully revised and only persons convicted of heinous offences be debarred from the benefit of the Act.

202. There is another matter connected with the Probation Act to which we would invite attention. Up till now the enquiries into a prisoner's antecedents and fitness for release were made by the Police, but recently Government have amended the rules to provide for this enquiry to be made by the Probation officer also if there is one. We consider this dualism to be undesirable and we accordingly recommend that in places where Probation Officers have been appointed, this enquiry should be made by them alone and the Police should have nothing to do with the matter. मन्त्र नयन

(d) Sick and Infirm Prisoners

203. The Jail Manual provides for the premature release of (i) prisoners who are suffering from a disease which is likely to prove fatal, but from which there is a reasonable chance of recovery if they are released, (ii) prisoners, who owing to old age, infirmity or illness, are permanently incapacitated from the commission of further crime of the type for which they were convicted, and (iii) prisoners who are likely to die within three months.

204. It was brought to our notice that there has recently been some change so far as the procedure for release under sub-heading (iii) above is concerned. Superintendents of jails were formerly empowered to release a prisoner certified as likely to die within three months, if all other requisite conditions were fulfilled, in anticipation of the orders of Government. That power has recently been withdrawn, with the result that all cases have now to come to Government for orders before the prisoners can be actually released. The numerous formalities involved in the procedure take a long time and it has sometimes happened that the orders of Government have reached the jail after the prisoner has died. We consider that expeditiousness is very important in such cases. The reference to Government for orders is likely to defeat the very ends which the framers of the scheme had in view. We accordingly recommend that the previous practice under which such prisoners could be released in anticipation of Government orders should be restored. Formal orders of release may be obtained after the prisoner's release has been effected.

205. We would also like to make a passing reference to the principle generally known as that of the "indeterminate sentence". It is an idea which is approved by many leading penologists. We will deal with this point in some detail in the following chapter.

beneficial results. Psychiatrists after a thorough study of the problem have come to the conclusion that forced sex starvation results in irritation, indiscipline and vindictive attitude in individuals. We are of the opinion that persons sentenced to a long term and not convicted for robbery, dacoity or any other heinous offence, may be released on parole, particularly during the harvesting season for a definite period. We recommend that this privilege should be granted to prisoners with specially good conduct who have completed three years of their sentence with remissions. They may be released on parole on personal bonds and sureties for a month after the completion of three years and then for a month in each subsequent year. We would, in this connexion, like to emphasise that the grant of parole should be regarded as a concession to encourage good conduct and it may not be claimed by prisoners as a matter of right.

5. *Gratuity*

207. A gratuity in the form of cash provides a strong stimulus to good conduct and industry in jail. In England prisoners in a certain division receive a gratuity according to the following principle : A convict is allowed to earn, by special industry combined with good conduct, a gratuity at the rate of 2s. 6d. for every 240 marks in the case of males and for every 180 marks in the case of females. Half of these earnings may be spent monthly on the purchase, through the prison authorities, of certain approved articles of comfort and relaxation, a list of which is hung up in each prisoner's cell. The other half of the sum earned is utilised for the prisoner's benefit in other ways. Thus the amount of gratuity depends on the number of marks earned which depends on conduct and industry. In the United States of America the principle of gratuity has been carried a good deal further. In some States the gratuity represents a certain percentage of the estimated value of the prisoner's work, whilst in other States, each prisoner employed under the contract system is allotted a regular amount of work to do, and for any outturn produced in excess of that task he receives payment at a schedule rate equivalent to the value of the extra work done. In certain other States the practice is to pay the prisoner regular wages for all work done. The wages belong to the prisoner who is allowed either to remit them to his family or to let them accumulate for his own benefit on release. In Madras gratuities are granted for work done above the authorized task. The system in the Punjab is called *Pecule*, the principle of which is that every prisoner will be rewarded who completes a full and approved daily task. It does not cater in any way for work done over and above the allotted task. This system is a novel experiment in India.

208. The Indian Jails Committee, 1919-20 was in favour of the extension of this system to India. It was of the view that though remission of sentence was a most useful instrument, it needed some imagination before its effect would be realized, and the provision of an additional stimulus would be of great value. The Committee favoured the principle of giving the prisoner a further reward proportionate to his exertion and of rendering it available for him in as tangible and concrete a form as was consistent with jail discipline. The United Provinces Jails Inquiry Committee, 1929 was also in favour of the introduction of a system of gratuities under which each convict would receive a fixed sum of money on receiving a certificate that he had done his work satisfactorily.

209. In applying the system to Indian conditions, it should be borne in mind that the entire amount of the gratuity should not be placed at the disposal of the convict, and at the same time that he should not be entirely deprived of benefit from his gratuity during the currency of his sentence. A monthly payment to the convict from his gratuity will have its own sobering effect, but at the same time a substantial part of the gratuity should be allowed to accumulate to be handed over to the convict on release.

210. The Committee notes that the system of payment of monetary awards was introduced, under G. O. no. 757/VI—1222-1935, dated August 17, 1935, in the District Jail, Kanpur, for the benefit of the prisoners working in the tailoring factory. The system has subsequently been extended to the Unnao District Jail also. We recommend that the results of the experiment so far achieved should be carefully examined and the possibilities of an extension of the system explored.

211. In addition to cash rewards, the Committee considers that prisoners putting in specially good work should be issued *gur* as a stimulus to hard work and good conduct. This method of reward will be more appreciated by the prisoner because it will operate at once. Prisoners doing certain types of work are already given *gur*. We recommend that *gur* should also be issued to well-behaved and hard working convicts.

6. Letters and Interviews

212. We consider it very necessary that prisoners should have an opportunity of communicating with their relations and friends. Such communications keep the family influences intact and thereby have a sobering and reformatory influence on the convicts. Nothing produces a worse effect on a prisoner than the feeling that his friends and relations have cast him off. It is sometimes possible to get a recalcitrant convict's relations to speak to him with good effect on his conduct and apparently hardened prisoners will often improve in behaviour after an interview with their relations, especially if the prisoner's children are brought to the interview. We, therefore, consider that rules regarding interviews and letters should be made as liberal as possible.

213. Ordinary convicts in jails were so far permitted to have one interview and to write and receive a letter once in two months. The Government have recently liberalized this rule, and prisoners may now write and receive two letters and have one interview in two months. It is also provided that a convict may substitute a letter with reply for an interview or *vice versa*. While we welcome the grant of this concession, we consider that the principle may with advantage be extended further. We are of opinion that prisoners should be allowed to receive all letters as and when received. We quite recognize that letters and interviews entail careful supervision and that any extension of the system would require a proportionate increase in staff: yet we believe that Government should not grudge this extra expenditure incurred on the betterment of the conditions of prisons and prisoners.

214. There is a provision in paragraph 693 of the Jail Manual vesting the jail superintendent with the discretion to grant interviews where a prisoner has been guilty of misconduct, if his friends or relations have come from a distance to see him and the superintendent considers that it would inflict an undue hardship on them if the interview were refused. In practice, we believe that this discretion is not as generally exercised as is desirable. We recommend that superintendents should make a wider use of this discretion and as a rule, allow the friends and relatives who have come from a long distance, to have an interview even when a convict has misbehaved and has been punished. We should like to emphasise the fact that interviews have sometimes an especially good effect after a prisoner has misbehaved and has been punished for it. The interviewer if previously warned, may use his influence in making the prisoner realise his mistake and reform his conduct. Under favourable circumstances the superintendent should not hesitate to employ the agency of interviewers to the best advantage and grant interviews.

215. The Indian Jails Committee, 1919-20 had recommended that in every jail a properly constructed interview room should be provided at or near the main gate. The present method of interview is most unsatisfactory. The prisoners in some of the jails are locked up in a wire net enclosure and the relatives and friends sit outside this enclosure usually at a distance of two feet and shouting becomes necessary both because of the distance as well as the noise. The Committee is strongly of opinion that proper rooms should be provided where interviews should take place in small batches and the distance between each prisoner and the interviewer decreased to such an extent that shouting may not be necessary.

216. The Departmental Jail Committee, 1939 had recommended that when prisoners are transferred to another jail, intimation should be sent to their homes. We endorse this recommendation and reproduce below paragraph 85 of the report of that Committee. "At present it often happens that when relatives of a convict come for interview they find that the convict has been transferred to another jail and they thus lose contact with him. We are of opinion that when a convict is about to be transferred, his friends should be invariably informed, by letter of the fact of transfer of and of the name of the jail to which he is to be transferred. We wish to emphasize the importance of utilizing to the utmost the reformatory effect of family ties. If family ties are allowed to become loose during the currency of a sentence a convict will often find himself on discharge, cut off and ignored by his friends and the chances are he will fall into bad associations and retire to a life of crime."

7. *Educative, Moral and Religious Influences*

217. It is now universally recognized that we must educate our prisoners and inspire them with moral and religious teachings. The United Provinces Jail Manual lays down that every convict, male or female, sentenced to three months' imprisonment or more who is under the age of 50 years, shall be liable to undergo instruction in reading, writing and arithmetic up to the lower primary standard unless he or she has been declared by the medical officer to be mentally or physically unfit to receive such instruction. Further, instruction may also be given to under-trial prisoners and prisoners sentenced to imprisonment for less than three months if they so desire. This provision was made as a equal to the recommendation of the Departmental Jail Committee, 1939, that compulsory adult education should be introduced in jails for all prisoners below 50 years of age.

218. The present system of education in our jails, we regret to confess, is far from satisfactory. Central prisons have a few paid teachers who teach the prisoners reading and writing while they are at work. The teaching is tedious, and the progress is slow. Whenever the superintendent of a district jail wants a teacher in his jail, a convict teacher is transferred to that jail from a central prison. These convict teachers are usually habituals and adept in creating mischief. No efforts have so far been made to introduce in our jails the Basic system of education or the Mande system of education.

219. We consider that this system needs to be radically improved. In the first place, we must dispense with the exclusive reliance on the agency of convict teachers. While convict teachers may be utilized for supplementing the paid staff, any scheme for educating the prisoners based on this agency alone is bound to be unsatisfactory. The Committee is of the view that there must be one head teacher and four teachers in every central prison, two teachers in every district jail of the first or second class and one teacher in other district jails. All these teachers must be trained men. The Committee further recommends the introduction of the Basic and Mande's system of education in our jails. These systems make the process of teaching interesting and are likely to produce better results. Instruction should also be put on a more systematic basis. There should be regular classes and regular examinations. Teaching should be done during leisure hours and not while prisoners are at work. Prisoners showing special merit at these examinations should be suitably rewarded. The Departmental Jail Committee, 1939, held the view that there should be two permanent shields of different sizes, one for the central prisons and the other for the district jails. The shields should go to the jails showing the highest percentage of literacy during the preceding year, and if any jail retains the shield for three years consecutively, the subordinate staff of that jail should be rewarded Rs. 250. We believe that this will be a very valuable incentive both for the prisoners and the jail staff, and we recommend that the proposal be favourably considered by the Government.

220. Every district jail has got one library and every central prison two libraries, and literate prisoners are allowed to borrow two books at a time. Prisoners are also permitted to have books from friends and relatives provided that the books have been approved by the superintendent. This privilege of borrowing books is, however, liable to forfeiture in case of misconduct.

221. We consider that there is a great scope for the improvement of jail libraries. The books should be carefully selected and should be such as would promote communal harmony and improve the morals of the prisoners. We also hold the view that the forfeiture of the privilege of borrowing books is not a suitable form of punishing misconduct and should not be resorted to in future. Depriving a prisoner who has an interest in reading of books is to deprive him of mental food. Such punishments should not find a place in a modern system of penal administration.

222. Until recently only superior class convicts, viz. those belonging to A or B class were supplied with daily newspapers from a list approved by the Government. In addition to the newspapers supplied at Government expense, those prisoners were also permitted to obtain at their own expense, daily or weekly newspapers and magazines out of the approved list, provided they were not considered unsuitable by the superintendent. Recently however Government have allowed newspapers to C class prisoners also. This is a desirable reform. We, however, consider that the provision that the newspapers and magazines should only be

from the list approved by Government unduly restricts a convict's field of choice. We believe that it would be much simpler to lay down that prisoners will be supplied with any newspapers of their choice provided they are not considered objectionable by Government.

223. Lectures on these public health, etc. with the aid of magic lanterns are occasionally arranged in jails. As lectures are easily understood and are very interesting, they have a great educative value. We consider that a more extensive use should be made of this method of education of prisoners. We further recommend that social welfare workers should be permitted to visit the jails and talk to prisoners on matters of health and hygiene.

224. Prior to the publication of the report of the Indian Jails Committee, 1919-20 rules in most of the provinces did not provide for religious and moral instruction to prisoners. The importance of such instruction as a reformatory factor in prison treatment is now universally recognized. It is a means of developing and strengthening the moral element in a person.

225. It is gratifying to note that the present rules in the United Provinces Jail Manual recognize the important place that religious and moral teaching should occupy in any well planned scheme of the reclamation of criminals. Honorary teachers, selected by the district magistrate, deliver lectures to prisoners on such subjects. The duty of these teachers is to lecture on purely religious subjects to those prisoners who hold the same beliefs as themselves. As, for disciplinary reasons, a large number of prisoners may not be gathered together in one place, it follows that in jails with a big population any one prisoner cannot attend more than an hour's lecture a month. It is obvious that one hour's tuition a month is inadequate.

226. We consider that the agency for imparting religious education should be paid and not honorary. The United Provinces Jails Enquiry Committee, 1929, was of the view that Pandits and Maulvis should be attached to each central prison and district jail. We consider that there should be two Pandits and one Maulvi in each of the central prisons and one Pandit and one Maulvi in each of the larger district jails. They should impart moral instruction and assist generally in the education of prisoners. They should be whole-time members of the staff. In addition to the paid staff, private preachers should also be occasionally invited to deliver lectures to prisoners. These honorary lecturers should be paid at least a conveyance allowance. The Departmental Jail Committee, 1939, had also recommended that a sum of Rs.100 should be placed at the disposal of every superintendent of central prison and a sum of Rs.50 at the disposal of every superintendent of district jail from which conveyance allowance may be paid to these lecturers.

8. Recreation

227. Today an ordinary convict has no recreation in jail. Measures calculated to soften the rigours of prison life and provide some amusement to prisoners, should occupy a high place in any reformatory system of prison administration.

228. The first point to which we would draw attention of the Government is the provision of exercises and games in jails. Physical drill makes the body fit and balanced, supple and not easily tired. Physical exercises not only improve the muscles but serve to correlate mind and body and teach self-control by bringing the impulsive body under the domination of the mind. Their moral as well as disciplinary influence is great. We are therefore of the opinion that arrangements for inexpensive games like Kabadi, Volley-ball and Football should be made in all jails. Even inter-jail tournaments and sports should be encouraged. Physical training should also be given to each prisoner. For this purpose, the Committee recommends the appointment of a physical instructor in each central prison.

229. In the United Provinces, prisoners are permitted to recite *Prarthana* or prayer songs after unlocking and at the locking up time in the yards of their respective barracks. But beyond this there are no arrangements for music. The practice of singing softens the hardness and lessens the bitterness engendered by imprisonment in the emotional life of a prisoner and allows other personal factors room for growth and development towards rehabilitation.

230. In the United States of America music is encouraged and most of the jails have their own bands and orchestras. In our country radios have been installed and prisoners are permitted to listen to radio music at fixed hours in some of the jails. In a few of the

jails even gramophones have been given to prisoners. In Madras jails prisoners are permitted to stage dramas for which they are provided with curtains, etc. from outside the jail—the actors being the prisoners themselves.

231. We recommend that prisoners may be allowed to sing for a certain period of time every day. But the greatest care should be taken in the selection of songs. Communal and obscene songs should be absolutely prohibited. We also recommend that radio sets should be installed in as many jails as possible. Presentation of sets from private individuals and institutions should be accepted by jail authorities and installed in jails of their choice. We further consider that musical instruments should be provided to prisoners who know how to play them and express a desire for them.

9. *Panchayat System*

232. The Departmental Jail Committee, 1939, had recommended that the *panchayat* system should be introduced in jails. This is very important. We are living in an age of democracy and as an ex-convict voter has as much to shoulder the responsibility of democratic government as a non-convict voter, it follows that training in the art of democracy would be to the advantage of society at large. A jail *panchayat* would be a sort of mutual welfare league. It is well-known that there are groups of prisoners who form gangs. Jail *panchayats* are likely to cut at the root of gang formation and prove a source of help to the jail authorities in the maintenance of discipline and in the matter of the treatment of individual prisoners. The *panchayats* should be divided into various sub-committees which should look after sanitation, ration, labour, etc. They should be elected bodies and their co-operation with the staff should make jail atmosphere healthier and better.

233. The Committee notes with regret that the *panchayat* system introduced in the Bareilly Central Prison is not working now. It should be revived and put on a sound basis.

10. *Other Concessions*

234. We consider that anything which makes for the reasonable comfort of a convict and which is calculated to create a sense of self-respect in the convict's mind, will operate as a reformatory influence. From this point of view we recommend grant of certain additional concessions to prisoners. Such concessions may take the form of tobacco, discontinuing the practice of trimming close the prisoners' hair, moustache and beard, etc. Prisoners have already been permitted to receive tobacco from outside sources, but we consider that it should be supplied at Government expense. Prisoners are permitted to keep their beards long with the permission of the Superintendent. Close clipping of the hair of prisoners is associated in the ordinary mind with imprisonment, and Government should consider the desirability of permitting prisoners who so desire to retain their hair, moustache and beard.

CHAPTER XI

PREVENTIVE MEASURES

235. In this chapter we propose to discuss the subject of prevention of commitment to prison—a subject that may at first sight appear to be beyond the scope of the present inquiry. But with all improvements in prison administration, imprisonment will still remain an evil, and it should be our aim to avoid it by all possible means. Moreover, as we have already emphasised, all efforts at the reclamation of the criminal are bound to fail if they are confined to his reformation during the period of incarceration alone. A comprehensive programme of the treatment of the criminal must include measures to prevent committal, and the after-care of those who have to be sent to the prison. Apart from the demoralising effect of imprisonment, maintenance of prisons involves considerable expenditure to the State. Any steps taken to reduce the volume of convict population will avoid the loss of man-power which inevitably goes with imprisonment, and will also mean a saving to the State.

236. Prevention is always better than cure ; what is applicable in the case of biological organism is equally effective in the maladies relating to social behaviour. Preventive measures, whether in the sphere of health or crime, attempt to curb the disease at its source. It is true, paradoxical as it may seem, that one of the best methods of reforming convicts is to keep them out of prison.

237. This subject assumes special importance in the case of juvenile and youthful offenders. It is widely recognized that by the adoption of scientific and sympathetic treatment for these classes of offenders, an attempt should be made to cut off the supply of fresh recruits to the army of habitual criminals. In England and the United States of America the law now completely forbids the committal of children to prison, and special institutions have been provided for juvenile offenders who have passed the age of childhood. In view of the special importance of this subject in the case of juveniles we shall deal with it at some length in a subsequent chapter.

1. Measures for the Prevention of Admission to Prison

238. Various methods have been suggested for the prevention of admission to prison. These measures may broadly be classified into (a) social, and (b) legal. Towards the end of the last century considerable attention was paid in Italy to the prevention of crime through social measures. Ferri considered these measures as *equivalents* of, or *substitutes* for, punishment, and on this basis he worked out the theory of what has been called 'Social Accountability'. As *equivalents* of *punishment* or measures for the prevention of crime, he mentions free trade, abolition of monopolies, suppression of certain taxes which constitute a constant source of agitation, cheap workmen's dwellings and auxiliary institutions for invalids, wider streets and better lighting to render offences more difficult, birth-control to prevent abortions, infanticide, etc.

239. We have now reached a stage in our social development, when the State cannot deny its social responsibility for crime. The above-mentioned measures pertain to the wider sphere of social welfare, the adoption of which will considerably reduce the incidence of crime. The modern industrial and economic conditions are responsible to a great extent for the existing social disorganization which has affected even the primary units of society—the home, the school, the neighbourhood, etc. With a better understanding of the causation of crimes there is a greater realisation of the sociological factors leading to it. Measures to bring about social reorganisation are therefore likely to prove very effective in the prevention of crime. Steps taken for the amelioration of the conditions of living of the poorer sections of society are bound to affect the volume of prison population. We consider, therefore, that vigorous efforts are necessary in the following direction :

- (a) Anti-natal welfare clinics ;
- (b) Maternity and child welfare ;
- (c) Primary education for all ;
- (d) Clubs and Boy Scout organisation ;
- (e) Extension of medical aid, public health and sanitation ;
- (f) Slum clearance and proper housing, and
- (g) Scientific tackling of various social problems including marriage reform,

2. *Legal Measures*

240. The other set of measures for preventing admissions to prisons we have called 'legal'. Under this title we shall indicate the directions in which legal action may be taken with a view to effecting a reduction in the number of those committed to prisons.

3. *Removal of Compulsory Imprisonment*

241. There are certain sections of the Indian Penal Code under which the court has no option but to award a sentence of imprisonment. These provisions are objectionable for many reasons. If the principle that punishment should be suited to the crime and the criminal is accepted, the propriety of these provisions is open to question. It is obviously undesirable to lay down that a particular form of punishment must attach to a particular crime. The provisions are also objectionable from the point of view of the courts themselves. It is a wholesome principle to give the court the widest possible discretion in the matter of awarding punishment. In the third place, circumstances sometime so alter cases that even serious offences can be best dealt with otherwise than by the infliction of a sentence of imprisonment. Finally, if imprisonment is an evil to be avoided whenever possible, a rigid provision requiring its imposition regardless of all other considerations is unwise. As instances of such provisions, reference may be made to sections 325, 327, 328 among other sections of the Indian Penal Code. We consider that the law should be so amended as to allow the courts complete discretion in the matter.

4. *Levy of Fines*

242. In England more has been done to keep offenders out of prison by a procedure under which time is allowed for payment of fines than in any other manner. In India provision was made in 1923 by section 388 of the Code of Criminal Procedure for suspension of execution of sentence of imprisonment in default of payment of fine by permitting payment in instalments and permitting the courts to allow time for payment. We believe that this procedure, if correctly applied, may prove, as in England, the most effective check on admission to prison.

5. *Short Sentences*

243. The Indian Jails Committee, 1919-20 had referred with approval to the suggestion made by Mr. Justice Heaton of the Bombay High Court that the law ought to recognize a finding of "warned and discharged". In his opinion the anxiety, publicity, inconvenience and expenso of a trial and the stigma of conviction were often quite enough in themselves. The Committee is not aware of the action taken on that recommendation of the Committee of 1919-20 but the suggestion does appear to be a very useful one.

244. Apart from this there are quite a large number of convicts who are sentenced to such short periods as one month or even a fortnight. The condemnation of short sentences is widespread and practically unanimous. A succession of short sentences for trivial offences has a tendency to accentuate rather than to arrest the habit of crime. "They are costly to the State and prejudicial to the individual and an almost certain prelude to his complete and irrotreivable downfall. Short sentences are seldom deterrent and never reformativ while they are harmful in familiarising the offender with prison, in destroying his self-respect, and making him indifferent to further disgrace". We are accordingly of the opinion that the system of short sentences should be given up and substitutes for short sentences utilised.

6. *Indeterminate Sentence*

245. We have already referred to the principle of indeterminate sentence. Briefly the principle is that the court should refrain altogether from passing a definite sentence and should merely decide whether a man is guilty or not. If he is guilty, he should be handed over to an expert body of penologists, to be detained and dealt with in accordance with his subsequent conduct, and on the basis of the fuller information which they can obtain regarding his previous history and a careful study of his mental and physical characteristics.

246. The idea of indeterminate sentence has been widely applied to the treatment of offenders in the United States of America. It has gained acceptance in England as well. We consider that the principle should be applied to our Province in the first instance in

the case of old and infirm people, say those who are above the age of 50 and are beyond reclamation. We should have special institutions for them where they will stay for the rest of their life unless earlier release is recommended.

7. *Police Surveillance*

247. At present persons who are conditionally released under section 401 of the Code of Criminal Procedure are subjected to police surveillance during the period of remission of sentence specified in the order of release. This is unsatisfactory. We consider that this surveillance should be entrusted either to Probation Officers or such other special officers.

8. *Probation*

248. Probation means placing of a person, who has been charged with an offence and found guilty, on probation with conditions of good conduct instead of sending him to prison. At its best, the system is the most constructive method at the disposal of the courts by which to combat crime.

249. In Great Britain the release of criminals on probation is regulated by the Probation of Offenders Act, 1907. This provides that when any person is charged before a court of summary jurisdiction and the court thinks that the charge is proved, the court may without proceeding to a conviction, make an order dismissing the charge, or discharging the offender conditionally on his entering into a recognisance with or without sureties to be of good behaviour and to appear for conviction and sentence when called upon at any time within such period, not exceeding three years, as may be specified in the order. In India, the principle was first introduced in 1898 by section 562 of the Code of Criminal Procedure. Under that section release on probation was limited to offences under the Indian Penal Code punishable with not more than two years' imprisonment.

250. In this Province the Probation system received an impetus during the time of the last Congress Ministry. A First Offenders' Release on Probation Act was passed in 1938 which permits the courts in certain specified circumstances to discharge persons found guilty under certain sections, after admonition. There is a further provision that persons below the age of 21 years may be placed under the supervision of Probation officers. We propose to deal with this subject in greater detail in a subsequent chapter when we shall suggest improvements in the system.

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CHAPTER XII

TREATMENT OF JUVENILE AND ADOLESCENT OFFENDERS

251. The juvenile delinquent has for some time been recognised as being different from the adult offender so far as legal procedure and meeting out of penological treatment is concerned. However, until recently (and in some countries even now) juvenile and adolescent offenders have been dealt with more or less in the manner in which the adult offenders are treated. In some countries at a particular stage of their social development a slightly differential treatment was accorded to juvenile and adolescent offenders. This movement, which originated in the United States, began to gain ground and has spread to other civilized countries of the world.

252. To quote from the Departmental Committee on the Treatment of Young Offenders, 1927, in England "as far back as the tenth century Athelstane enacted that men should slay none younger than a fifteen winters' man, and provided that, if his kindred will not take him, nor be surety for him, then swear he as the bishop shall teach him, that he will shun all evil, and let him be in bondage for his price. And if after that he steal, let men slay or hang him, as they did to his elders." In the Year Books of Edward I it was enacted that judgment for burglary be spared in the case of a boy of 12 years. But in practice the principle of preferential treatment for children was not observed widely in England as is evident from the fact that in 1844 there were as many as 11,348 prisoners between the ages of 10 and 20 in English prisons.

253. The law of Connecticut in America, published in 1673, provided that "If any child or children above 16 years old, and of sufficient understanding, shall curse or smite their natural father or mother, he or they shall be put to death, unless it can be sufficiently testified that the parents have been very unchristianly negligent in the education of such children, or so provoked them by extreme and cruel correction that they have been forced thereunto to preserve themselves from death or maiming." The law appears to have been based on the ancient Mosaic injunctions which laid down that "the parents shall say to the elders of their city that that son of ours who was of sufficient understanding being about 16 years of age was stubborn and rebellious. He would not obey their voice. He was a drunkard. And all the men of the city shall stone him to death." The law of Connecticut further provided that children above 14 years shall be punished by death for offences such as rape, murder, false evidence, arson, adultery and man-stealing.

254. Such provisions show that in early society crime was considered to be an anti-social act which was committed due to natural depravity inherent in a person or due to the instigation of the devil or some other supernatural evil spirit or influence. The prevalence of such ideas was perhaps responsible for that dark page in the history of mankind which was full of inhuman torturers and punishments.

255. It was not till the latter half of the nineteenth century that an attempt at a scientific understanding of crime and criminals was made. It was in the writings of Cesare Lombroso in 1876 that a scientific approach towards this problem, was for the first time discernible. Although the Lombrosian theory of the physical criminal type came up for severe criticism and was later on refuted, the contribution of Dr. Lombroso, supplemented and enlarged by his disciples Eurico Ferri and Garofalo, are definitely positive. It was the School founded by these Italian masters that gave rise to the Modern Clinical School of Criminology and Penology out of which has arisen the recent science of Juvenile Delinquency and separate treatment for juvenile and adolescent offenders.

256. One of the most significant contributions of the Modern Clinical School to social welfare is the differential treatment that has come to be accorded to juvenile and adolescent offenders. The new ideology has endowed some important social institutions to the society in its attempt at the correction, prevention, control and treatment of delinquency. The probation system, parole, indeterminate sentence, reformatories, Borstals, child guidance clinics, correctional colonies and farms, juvenile courts, after-care institutions and different court procedure and a host of other such institutions have been set up in the wake of the new ideology.

257. Juvenile and adolescent delinquency, if allowed to go unchecked, may become the fore-runner of adult crime. It is realised that juvenile and adolescent offenders must be segregated from other criminals to prevent contamination and render reformation more

probable. In America as early as 1824 a Reformatory was established in New York State so that young offenders after conviction would not be confined with adult offenders. Though the realisation that juvenile and adolescent offenders be given a separate treatment came early, yet it was not till the beginning of the present century that the technique of separate treatment for such offenders developed. This was made possible by the increasing number of experiments in the treatment of such persons and more so by the pioneer work of Dr. William Healy which placed an emphasis on the treatment and study of the individual delinquent. A juvenile or an adolescent delinquent is not an individual to be punished, but one to be treated carefully, after a close study of the possibility of reformation and rehabilitation. There must be a scientific attempt at correct diagnosis before a well planned individual therapeutic plan can be chalked out and properly applied to the individual case or patient. The treatment of juvenile and adolescent offenders according to this method has now been fully recognised by most of the advanced countries of the world.

258. Children are national assets and it is the duty of the State to take care of them and extend all possible help and protection to the destitute, deserted, distressed and delinquent. If the prison population of tomorrow is to be reduced, a separate treatment has to be accorded to juvenile and adolescent offenders. In Massachusetts in the United States of America the number of the persons placed on probation increased from 15,518 in 1910 to 27,817 in 1936, while the number of persons committed to prison decreased from 31,081 to 12,305.

259. One of the fundamental principles of prison reform is that such persons as can be adequately dealt with outside the jails should not be incarcerated. In the category of such persons, the first place is naturally to be given to first offenders, juvenile delinquents and adolescent offenders. As already mentioned above, the principle that juvenile delinquents and adolescent offenders must be given a separate treatment different from adult and habitual offenders has now definitely been established. Some of the most advanced countries of the world have already evolved different penal practices for such offenders.

260. The importance of a scientific plan for prevention, correction and control of juvenile and adolescent delinquency, in any scheme of penal reforms, can be realised from the following :

(a) That the case studies of delinquents reveal that most of the criminals start delinquent careers at an early age. Dr. William Healy observes. " The first known delinquency occurred at eight years or earlier in 48 per cent. and after twelve years in only 22 per cent. The delinquent had been delinquent for more than a year before his first court appearance in 87 per cent. of the cases. These important facts, obtained from more intensive studies than we have ever before undertaken, demonstrate how early untoward forces must be at work which make for delinquency. And findings are equally impressive in serving to show at what life period adequate measures for understanding and preventing delinquent tendencies should be undertaken "

(b) That a great majority of the offenders appearing before the courts for various offences are persons below 21 years of age.

(c) That habit formation generally takes place at an early age. It is easier to reform and re-educate a young offender when delinquency traits are not yet deep-rooted.

261 In this chapter the word *juvenile* has been used for persons below 16 years in age and *adolescent* for persons over 16 years but below 21 years.

1. *Juvenile Delinquents*

262. We will now consider the methods employed in our Province in handling juvenile delinquents. A juvenile, when he commits an offence, is arrested, is kept generally in the police lock-up, and sometimes in a jail in a special enclosure known as the juvenile ward. In the police lock-up a number of juveniles are often kept for weeks. They have no proper facilities for exercise and privacy and are given an insufficient amount of money for purchasing food. The condition of the lock-ups is generally insanitary. In the juvenile ward in the jail, persons below 21 years of age are kept and it is generally observed that casuals and habituals are kept in the same ward. This gives an opportunity to the adolescent habitual offenders to corrupt and spoil the juvenile delinquent. The present methods

of juvenile and adolescent detention, therefore, are most unsatisfactory, because this class of offenders is exposed to the dangers of social contamination.

263. The juvenile offender is brought to the court by an ordinary uniformed police-man, hand-cuffed and with a rope tied round his wrist or waist and is put up for trial before a magistrate who is generally known as a juvenile magistrate. The procedure followed in the court is the same as that followed in any other criminal trial. The juvenile delinquent is treated like young criminal and is dealt with accordingly.

264. The juvenile magistrate, if he finds the juvenile offender guilty of the offence for which he is charged, deals with him in one of the following ways :

(a) By ordering that he may be whipped.

This does not solve the problem at all. It is most degrading, has hardly any deterrent value and makes the offender a hero in his group as he persists in delinquency and often appears before the court again. This is the general experience of courts all over India.

(b) By imposing some fine.

The fine is often not paid and the court has generally to revert to punishment under (a) or (d).

(c) He is dealt with under the United Provinces First Offenders' Probation Act, 1938.

This Act is at present in force only in eight districts of the Province.

(d) The juvenile offender is dealt with under the Reformatory Schools Act, 1897.

There is at present only one Reformatory School in the whole Province. It has a total accommodation for 92 boys, and as on an average the boy has to remain in it for about five years, it can admit only about 18 boys in one year. The Committee recommends that boys between the ages of 12 to 16 years may be admitted to the Reformatory School.

(e) The young offender is sent to the jail for a term of imprisonment.

265. We have no State machinery for dealing with destitute, deserted or distressed children. Delinquency is just an outward manifestation of social and psychological mal-adjustment, and the destitute, distressed and deserted boys invariably drift towards delinquency and such girls drift towards prostitution. It is apparent that our attitude towards the problem of juvenile delinquency is most defective and the existing methods of treatment are primitive, inadequate, unsatisfactory and certainly most unscientific.

266. The problem of juvenile delinquency has been very boldly tackled in the presidencies of Madras and Bombay. A Children's Act is in force since 1920 in Madras and since 1924 in Bombay. This Act imposes on the State the duty of care and protection of distressed, deserted, delinquent and destitute children. Such children are not kept in police lock-ups or jails but in properly supervised Remand Homes managed by social service organisations. There are special courts known as juvenile courts whose duty is not only to judge the guilt or innocence of the child, but also to devise a plan of social treatment for the benefit of the child. Such children are not treated as young criminals but as the wards of society. The courts are assisted by probation officers who make preliminary enquiries regarding such children and recommend to the juvenile court the treatment which should be given to each child. The juvenile court has its own procedure. The accused child is not hand-cuffed, the policemen appear without uniforms, the proceedings are rather informal and the interest of the child is the supreme concern of every one. The juvenile court can deal with juveniles in several ways, the two main being probation with supervision and commitment to an Approved Home or School.

267. Children can be kept in such Homes or Schools until they reach the age of 18 years. In these Homes and Schools they are given educational and vocational training. Efforts are made to find suitable employment or occupation for them when they are released. In the presidencies of Madras and Bombay there are about 4,000 children in such institutions and over rupees ten lakhs are spent every year on the working of this Act.

268. The United Provinces Legislative Council had passed the United Provinces Children Bill in the year 1939, but the Congress Ministry resigned before the Bill could be placed before the Legislative Assembly. No action was taken during the War and the Bill has since lapsed. The Committee is of the opinion that this Bill with suitable modifications may be taken up again by Government and the United Provinces Children Act may be put in force as early as possible.

269. The Committee envisages that when the Children Act has been brought into force in the whole Province, Government will have to provide for the maintenance of about 5,000 children in Homes and Schools. Children between the ages of 7 and 12 years will be received in the Children's Home. However, a beginning may be made by opening Remand Homes and establishing juvenile courts in the districts of Agra, Allahabad, Banaras, Kanpur and Lucknow and by opening an Approved School in Lucknow. Remand Homes or Schools may be placed under the charge of Probation officers. The juvenile courts may consist of a bench of magistrates one of whom should be a lady. These magistrates may be sent to Bombay to receive training in juvenile court procedure. The boys' section of the Approved School may be given over to some social service organisation like the United Provinces Discharged Prisoners' Aid Society and the girls' section to the Lucknow Women's Association for management.

2. *Adolescent Offenders*

270. The adolescent offender is punished by the courts either with fine or whipping or under the United Provinces First Offenders Probation Act or imprisonment under the Indian Penal Code. What has been said regarding fines and whipping with regard to the juvenile delinquents, applies equally to the adolescent offenders. The working of the United Provinces First Offenders Probation Act is being dealt with separately. The adolescent offender is generally sentenced by courts to imprisonment for comparatively short terms, even to one of three months. This short term imprisonment does him no good and is positively detrimental to his own interests and to the interests of the community. Short-term imprisonment brings the adolescent offender in contact with adult offenders, is not at all deterrent, and does not give time and opportunity to the jail authorities to give him any suitable training or education.

271. There is only one Juvenile Jail in the Province situated at Bareilly. It has accommodation for about 200 boys. Usually boys up to the age of 18 years are sent there, but if a boy can complete his sentence till he attains the age of 23 years, he may be admitted even up to the age of 19 years. The inmates of the jail are all of the casual class, sentenced to various terms of imprisonment including transportation for life. The courts have no power to send any convict direct to the Juvenile Jail; the admission is indirect through other jails. For those not eligible for admission to the Juvenile Jail, there are juvenile wards in the central prisons at Bareilly, Naini and Fatehgarh. The total number of adolescent offenders undergoing imprisonment in the Province is about 3,000. Adolescent offenders other than those eligible for admission to the Juvenile Jail and sentenced to short terms of imprisonment are kept in the district jails.

272. The inmates of the Juvenile Jail, Bareilly, are given educational and vocational training and are even sent for employment outside the jail, and their earnings are credited to their accounts. The arrangements for educational and vocational training in the central prisons are fair, but there are practically no such arrangements in the district jails.

273. The United Provinces Legislature had passed the United Provinces Borstal Act, 1938, and the Departmental Jail Committee, 1939, in its report had suggested that adolescent offenders should be detained in a Borstal Institution. This Institution had not been established so far. The Committee is strongly of opinion that the establishment of such an institution should not be delayed any further, and would therefore, suggest that the Juvenile Jail, Bareilly, be converted into a Borstal Institution for casual adolescent offenders, the Borstal Act be put into operation, and courts authorised to send casual adolescent offenders between the ages of 16 and 21 years direct to this Institution.

274. The Committee is further of the opinion that an additional Borstal Institution for habitual adolescent offenders is necessary. Borstal institutions are meant for offenders who have criminal habits or tendencies or association with persons of bad character

and in regard to whom the Probation system or the provisions of the Children Act have failed. Such offenders are generally recidivists and repeaters. For such adolescent offenders we recommend that another Borstal Institution be established. Government may consider the advisability of converting one of the jails or portion of a jail into a Borstal Institution for habituals.

275. A necessary adjunct to Borstal Institutions is an organization for looking after such of their inmates as may be released on licence. The Committee is of the view that this work may be entrusted to the United Provinces Discharged Prisoners' Aid Society.

3. Probation System

276. The Probation System is a well-known and effective method of dealing with offenders, and is used in all progressive countries of the world as an alternative to imprisonment. The principle underlying the use of the Probation System is that imprisonment should be the last resort in dealing with offenders, and if there is any possibility of effectively dealing with offenders, outside the prison, it should be explored. Under the Probation System, when the offender has been found guilty, the court has power to release him on probation, on furnishing personal bond and sureties. The offender is placed under the supervision of a Probation officer who befriends him and assists him in getting employment. If the offender commits a breach of the conditions of the bond, he is liable to be punished for the original offence.

277. The United Provinces First Offenders Probation Act was passed in 1938. The Act was put in force in the districts of Agra, Allahabad, Bareilly, Banaras, Kanpur, Lucknow and Meerut. From the annual reports on the working of the Act, it appears that good work has been done by probation officers. Roughly, 1,000 persons were placed under the supervision of these officers up to the end of 1945, and 92 per cent. of them completed their probation satisfactorily and were employed. The Committee, therefore, recommends that the Act should be extended to all districts of the Province. The Committee understands that Government have decided to extend the Act to four more districts, and hopes that before long the Act will be further extended.

278. The Chief Probation Officer has suggested to the Committee that the Act needs improvement and should be amended. His suggestions are :

- (a) That the Act should apply to all offenders and not only to first offenders.
- (b) That all offenders irrespective of age or sex may be placed under the supervision of probation officers, girls and women being placed under the supervision of woman probation officers.
- (c) That preliminary enquiry reports should invariably be called for by the courts from the probation officers under rule 12 of the First Offenders Probation Rules in all cases which can be dealt with under the Act.
- (d) That the courts should deal with all offenders below 21 years of age found guilty of any offence under the Code of Criminal Procedure under the First Offenders Probation Act, unless there be special reasons for sending them to prison.
- (e) That persons bound over under the security sections of the Code of Criminal Procedure should be made eligible for release under the Act and they should be placed under the supervision of probation officers.
- (f) That there should be no bar to employment in Government service to probationers dealt with under the Act.

The Committee endorses the views of the Chief Probation Officer.

CHAPTER XIII

AFTER-CARE OF PRISONERS

1. *Importance of After-care Work*

279. After-care of prisoners is that branch of penal reform which deals with the welfare of prisoners after they are released from jails. The most critical period in a criminal's life is that which immediately follows his release. The man is thrown out of the jail into a hostile world which views him with callousness and suspicion. Mr. Wines has very aptly observed in his book "Punishment and Reformation" "The most terrible moment in a convict's life is not that in which the prison door closes upon him, shutting him out from the world, but that in which it opens to admit of his return to the world, having lost his character and standing among men, having suffered for months or years from the deprivation of pleasures to which he was accustomed, and having little, if any, money in his pocket to meet necessary expenses". The man's problems and difficulties are in direct proportion to the length of the sentence which he has undergone. The aim of after-care is to reconstruct and restore his self-respect to the criminal and to enable him to settle down to a peaceful and honest life. To quote from the Report of the Indian Jails Committee, 1919-20. "It is also generally agreed that it is desirable as far as practicable, to help such prisoners as may need help on their release from prison, so that they may be given a reasonable chance of securing an honest living. The idea that the Indian criminal easily regains his place in society and that he needs no assistance is refuted by the fact that about 20 per cent. of prisoners admitted to jail actually commit fresh crime after release and some eventually become recidivists".

280. It is now generally recognised that an essential part of any scheme of penal reform should be the provision of an efficient organization for the guidance and aid of released prisoners, for as we have already remarked, all reforms will be in vain if at the moment of his liberation, the prisoner is cast forth abruptly and without support to face all the difficulties of life and all the seductions of liberty.

2. *After-care work in the United Provinces*

281. Until the beginning of the present century very little was done in this Province to assist discharged prisoners to start a new and honest life, except for the efforts of some private philanthropists who started small societies for the aid of local prisoners. The question of providing such aid on a considerable scale and on an organized basis was first taken up by Sir John Tyler, the then Inspector General of Prisons. He wanted to form a Central Society for the purpose of "affording aid to indigent deserving prisoners on discharge by providing them with implements with which to follow the trade they had learnt in jail, and also subsistence allowance to maintain themselves for a month and of securing them suitable employment, so that they may not, on release find themselves subject to the difficulties and temptations that arise from want and idleness". His efforts bore fruit in the formation in 1894 of Society with the then Lieut.-Governor of the Province as its President. The Society had, however, only a brief career, and by 1902 it had ceased to function. The sum of Rs 45,000 collected by the Society was placed under the custody of the Treasurer of Charitable Endowments.

282. The failure of the Society of 1894 gave a set back to the movement in this Province. The question was, however, taken up by the United Provinces Jails Inquiry Committee, 1929. The Committee in emphasising the necessity of after-care work, observed: "The extension of activity in this direction is greatly to be desired. The work done in this manner should be increased a thousand-fold."

283. The movement for after-care received an impetus during the last Congress regime. The Congress Government realised the supreme necessity of supplementing certain proposed reforms by accepting the responsibility of the State for maintaining an effective system of after-care of prisoners. With this object in view the old Discharged Prisoners' Aid Society was revived under a co-ordinated system of Government control and public support. This Society has a creditable record of service. In presenting the first annual report of the Society Shri Gopi Nath Srivastava, the Chairman of the Society, remarked as follows: "Within a very short time we have been able to organize branches in the districts and we have today a District Committee in every district of the Province. Most of

them are functioning quite satisfactorily. The interest in penal reforms that we have been able to arouse in the general public is also quite satisfactory. I hope it will be no exaggeration to say that the educative propaganda carried on by us in this direction has benefitted not only our Province but has aroused interest outside the Province as well."

284. The Society is a nascent institution which has so far completed over eight years of successful life. An idea of the work achieved by the Society may be had from the following table :

Years	No. of ex-convicts assisted	No. found work	No. given monetary aid Railway fare, board or lodging	No. given tools	No. given clothing	No. given shelter, land, etc.	No. placed in institutions or Homes	Miscellaneous aid
1	2	3	4	5	6	7	8	9
1938-39 ..	221	55	45	20	10	42	5	44
1939-40 ..	317	43	27	7	130	9	6	95
1940-41 ..	454	132	84	23	81	11	22	101
1941-42 ..	427	89	117	9	79	24	29	80
1942-43 ..	564	93	134	154	53	11	67	..
1943-44 ..	821	86	221	..	74	222	51	167
1944-45 ..	568	87	214	..	79	5	64	119
1945-46 ..	446	74	141	..	..	..	90	141

285. The Committee is of the opinion that the Society should expand its activities. It should take up the case of every released prisoner who wants help, and should take steps to keep trace of him so that he may be saved from being a recidivist and may receive the necessary aid and assistance at a time when he needs it most. For this purpose the Society will require paid whole-time staff exclusively for after-care work. The District Committees of the Society should have branches in *tahsils*. The net-work of such societies will enable the convict to receive the necessary assistance at the time when he requires it. As most of the prisoners go back to agriculture on discharge, the District Committee should intimate the tahsil Committee of the arrival of the released prisoner who should be afforded the required assistance.

286. We are aware of the general apathy which an ordinary convict displays towards any offer of help to him on discharge. The reason for this apathy is not far to seek. The convict who has already suffered from the evil consequences of imprisonment which he has undergone and is alive to the society's hostility toward himself, retaliates by manifesting his own aversion to any gesture of friendship. We consider that the best way to overcome this apathy is to establish contact with the prisoner not at the time of his release but at a time when his release is drawing near. Visits may be paid by after-care workers to prisoners during the period of incarceration and the social worker should try to understand the problems with which the prisoners would be faced on discharge.

3. Employment of Released Prisoners

287. It will be seen from the table in paragraph 284 that one of the directions in which the Discharged Prisoners' Aid Society has been concentrating its efforts is the provision of suitable employment to discharged prisoners. It has been brought to our notice that the Society's work in this direction is being handicapped by a shyness and hesitation on the part of some of the employers to employ ex-convicts. We feel that a general drive should be launched to enlist the support of all employers of labour—whether industrial or otherwise—in providing work to deserving person who may be recommended by the Society. It should also be impressed on all such employers that they should not make any discrimination between the convict employees and free employees in the matter of pay or other service conditions.

4. *Discharged Prisoners' Homes*

288. Discharged prisoners' homes are an integral part of the organisation of after care movement. The All-India Prisoners, Aid Society in 1933—35 made efforts for the establishment of a Central Released Prisoners' Home at Lucknow, but the proposal could not mature. Such a home was started in 1940 in Kanpur. Recently a home has also been established at Banaras. Such homes are very useful and may be started in all the important towns of the Province.

5. *Settlements for Professional Habituals*

289. There are at present several settlements in the Province for members of the criminal tribes. These settlements aim at curbing the criminal tendencies in the settlers and at providing them suitable employment—either agricultural or industrial. We suggest that a similar settlement should be started for the habitual prisoners of the incorrigible and professional class as defined by us. Such prisoners on release should be made to settle in the proposed settlement with their families. We further suggest that the settlement should be started at some central place in the Province.

290. We have tried to indicate above the main lines on which after-care work should proceed. We recognise that no static uniform procedure can be laid down for the reformation, correction and rehabilitation of offenders as the therapy is to be applied according to the needs of the individual case. The nature of assistance to be rendered will differ materially in different cases. The Committee, therefore, while refraining from laying down hard and fast rules for this work, expresses the hope that earnest efforts should be made to place this difficult and important work on a sound basis.



CHAPTER XIV

GENERAL RECOMMENDATIONS

1. *Jail Staff*

291. We have so far mostly confined ourselves to suggesting measures for the amelioration of the conditions of prisoners in jails. We have emphasised that the treatment of prisoners should, on the whole, be reformatory. We have suggested various other reforms. It cannot be denied that to carry out this work of reform we need a more efficient and more contented jail staff. So far the jail staff has been rather neglected. If the prison officers are to be expected to work with honesty and zeal, it is necessary to inculcate a changed outlook by giving them sympathetic consideration so that they may transfer the same to the subject of their work—the prisoner. The Committee, therefore, strongly recommends that the conditions of service of jail officials should generally be improved.

2. *Hours of Duty*

292. There are clear orders that no member of the jail staff should be engaged on work for more than eight hours. But under the present system it is difficult for the jail staff to complete their work within that period. We consider that in no case should a man be required to be on duty for more than eight hours continuously.

3. *Holidays*

293. Paragraph 885 of the Jail Manual lays down that in addition to Sundays there shall be eleven other holidays in jails. This is very inadequate. Jail duties are hard and exacting and it is but desirable to give these officials occasional rest and respite. We consider that more holidays should be allowed to the jail staff. An increase in the number of holidays may affect the total outturn of jail labour, but it must be remembered that holidays will greatly be appreciated by the prisoners and better work produced.

4. *Quarters*

294. All members of the executive branch of jail staff are expected to be available for duty all the twenty-four hours, and they reside within the jail precincts. There are old type quarters for jailers, warders, etc. In several first class district jails whole-time superintendents have been appointed, but there are no quarters for them.

295. According to the existing design, officers' quarters have generally two living rooms and warders' quarters one living room. There are small courtyards and within the courtyard are latrines. There is an almost universal-sense of grievance among the jail staff that these quarters are neither spacious nor sanitary. We suggest that superintendents' quarters should have four living rooms, one store-room, one kitchen, one pantry, one bathroom and a flush-system latrine. The courtyard should be of a bigger size. Warders' quarters should have two living rooms, a store-room, a kitchen, a bathroom and a latrine. We further suggest that all quarters should have water-pipe connexion and that electricity should be provided wherever available.

296. It was also suggested to us that there should be one reserve quarters for relieving officers and two or three reserve quarters for relieving warders at each jail. It was pointed out that the officers and warders on transfer face great difficulties as there are no spare houses to accommodate them. We agree that this demand is reasonable and recommend that reserve quarters should be provided at all jails.

5. *Education of the Children of Jail Staff*

297. Jails are usually situated outside the cities, and it becomes difficult for warders to arrange for the education of their children. We recommend that where there is no school within a short radius of the Jail, primary schools should be started on the jail premises for the education of the children of warder staff. This is a very genuine grievance of this class. We consider that it should not be difficult when a large number of primary schools are being opened in the Province to locate one school in the jail lines.

298. The education of the children of jail officials other than warders is also handicapped on account of the distance of jails from cities and towns. For this purpose we recommend that arrangements should be made in all jails situated at a distance from cities for conveyance of children to the educational institutions.

6. *Institution of a Prison Medal*

299. Jail service is akin to the Police service but whereas subordinate police officials may aspire for the Police Medal, there is no such method of reorganizing and rewarding meritorious services of a jail official. Successive Conferences of the Inspectors General of Prisons have stressed the desirability of the institution of a Prison Medal. We recommend that the Government should consider the advisability of instituting such a medal.

7. *Transport for Jails*

300. There are great transport difficulties in most of the jails. The only transport available is the slow-moving bullock-cart. We recommend that each central prison may be provided with a lorry and a lorry driver. We further recommend that each district jail (excepting the Kanpur and Unnao District Jails which have lorries) should be provided with a bullock-cart with rubber wheels.

301. At present jails are not provided with bicycles. There is a considerable volume of local *dak* in the important jails and much time of the *dak*-warders is wasted in treading long-distances on foot. The Committee suggests that all central prisons should be provided with two bicycles each and all district jails with one bicycle each.

8. *Laundry*

302. We consider that the present method of washing of clothes should be replaced by the provision of laundries in jails run by prisoners themselves. The present system is unsatisfactory. These laundries should be provided with cheap washing soap, which should be manufactured in jails, and should have proper *bhatties* and washing platforms. They should also have arrangements for ironing, as well-ironed clothing gives pride to the wearer and increases his self-esteem.

9. *Sewing Machines*

303. The Committee is of the view that all jails should be provided with sewing machines. At present prisoners are expected to repair their own lothing and they have to accept the clothes given to them whether they fit them or not. A tailoring shop would be able to alter clothing to fit the prisoners and do all repair work properly. The shop can also be utilized for repairing the uniforms of warders.

10. *Disposal of Jails*

304. The Committee recommends that jails situated in the heart of the city together with attached land should be disposed of and new jails on modern lines constructed out side the city. In view of the present high cost of land, the Committee thinks that it would be possible to complete the transactions without additional expenditure by Government and that in some cases even saving will accrue.

CHAPTER XV

FINANCIAL

305. In the preceding chapters we have made various recommendations for the improvement of the prison system in our Province. We will now consider the financial effect of the acceptance of these proposals. Obviously, it is not possible to calculate with any degree of accuracy the cost which will be incurred if the proposals are accepted. An endeavour will, however, be made, as far as possible, to estimate the amount of expenditure which will be necessitated

306. Since the general question of the revisor of scales of pay of Government servants in various departments have been examined by the United Provinces Pay Committee, we have generally made no recommendations in this regard, and have based our calculations on the scales of pay accepted by Government as a recommendation of the Pay Committee.

307. We feel that it may not be possible for Government to incur the expenditure required for carrying out all the recommendations of the Committee in any single year. We have prepared schemes of such expenditure for the first, second and third years, respectively, and we recommend that Government may take up the various proposal in the order of priority indicated by us.

SCHEME FOR THE FIRST YEAR

Items of expenditure	Non-recurring	Recurring	Total		Progressive total
			Non-recurring	Recurring	
1	2	3	4		5
	Rs.	Rs.	Rs.	Rs.	Rs.
CHAPTER III					
ADMINISTRATION					
(1) Chairman of the Prison Commission in the (proposed) scale of Rs.2,300—50—2,500.	..	27,600			
(2) Two Members of the Prison Commission in the (proposed) scale of Rs.1,000—1,500.	..	24,000			
(3) Secretary of the Prison Commission in the (proposed) scale of Rs.700—25—1,000).	..	8,400			
			..	60,000	60,000

Scheme for the first year— (continued)

Items of expenditure	Non-recurring	Recurring	Total		Progressive total
			Non-recurring	Recurring	
1	2	3	4		5
	Rs.	Rs.	Rs.	Rs.	Rs.
CHAPTER IV					
PRISON ESTABLISHMENT					
(4) Six Deputy Superintendents of Central Prisons in the (proposed) scale of Rs.250—25—400—40—700—50—850 plus Rs.100 allowance.*	..	25,920			
(5) Ten Additional whole-time Superintendents of District Jails in the (existing) scale of Rs.250—25—400—30—700—50—850.	..	30,000			
(6) Nine Accountants in the (proposed) scale of Rs.80—6—100—E.B.—6—140.	..	8,640			
7) Six typists for central prisons in the (proposed) scale of Rs. 60—4—80—E. B.—4—100.	..	4,320			
(8) Increased travelling allowance to warders on transfer.	..	33,000			
9) Sixty-two cook-warders in the (existing) scale of Rs.25—1—40, 2 for each central prison and 1 each for other jails,	..	18,600			
(10) Seventy-four specialist warders in the (existing) scale of Rs.25—1—40, 4 for each central prison and 1 each for other jails.	..	22,200	..	..	..

Scheme for the first year—(continued)

Items of expenditure	Non-recurring	Recurring	Total		Progressive total
			Non-recurring	Recurring	
1	2	3	4	5	6
CHAPTER IV—(concl'd.)	Rs.	Rs.	Rs.	Rs.	Rs.
PRISON ESTABLISHMENT—(concl'd.)					
(11) Seven hundred and eighty-three additional warders to replace convict warders and convict overseers in the (existing) scale of Rs. 25—1—40.*	..	2,34,900	..	..	..
			..	3,77,580	4,37,580
CHAPTER V					
JAIL TRAINING SCHOOL					
(12) Psychology Laboratory ..	6,000	..	..	..	..
			6,000	..	4,43,580
CHAPTER VI					
TREATMENT OF PRISONERS					
(13) Special meals to prisoners on festivals and jail holidays.	..	56,100	..	..	..
(14) Electrification of central prisons and important district jails where electricity is available.	2,50,000	..	..	..	..
(15) Supply of <i>Iota</i> to each prisoner.	43,700	..	..	..	..
(16) Anti-malaria equipment for jails.	10,000	..	..	..	..
(17) Installation of electric motor pumps for wells in central prisons and bigger district jails where electricity is available.†	2,50,000	..	..	..	..
	..	..	5,53,700	56,100	10,53,380

*Taking the daily average jail population to be 25,000 the number of convict warders and convict overseers comes to 2,500 (10 per cent. of the population). The present number of convict warders at the rate of 10 for each central prison and 3 for each district jail is roughly 210. Replacing each convict warder by a warder and 4 convict overseers by 1 warder, total replacement = 210 plus $\frac{2,500-210}{4}$, i.e. 783.

†Pipe line to each barrack and yard to be taken up in the second year if funds do not permit in the first year.

Scheme for the first year—(continued)

Items of expenditure	Non-recurring	Recurring	Total		Progressive total
			Non-recurring	Recurring	
1	2	3	4	5	6
CHAPTER IX	Rs.	Rs.	Rs.	Rs.	Rs.
JAIL INDUSTRIES AND AGRICULTURE					
(18) Erection of flour mills 48,000 at 16 jails.	48,000	..	..	..	..
(19) Erection of electricity-driven band saw machines at the Central Prisons, Bareilly and Naini.	10,000	..	..	..	..
(20) Installation of wool carding and spinning plant at the Central Prisons, Agra.	60,000	5,000	..	..	..
(21) Installation of rag-tearing plant at the Central Prison, Agra.					
(22) Increase of the pay of the Director of Jail Industries.	..	9,000	..	..	..
CHAPTER X	..	..	1,18,000	14,000	1,18,530
REFORMATORY MEASURES AND AMENITIES					
(23) Improvement of Jail libraries.	20,000	..	..	..	..
(24) Six head teachers for central prisons in the (proposed) scale of Rs.60—4—80—4—100.*	..	5,760	..	..	..
(25) Twenty-four teachers for central prisons in the (proposed) scale of Rs.60—4—80—4—100.	..	17,280	..	..	..
(26) Eighty-three teachers for district jails in the (existing) scale of Rs.60—4—80—4—100.	..	59,760	..	..	..
(27) Six physical instructors for central prisons in the (existing) scale of Rs.40—2—60—80.	..	2,880	..	..	..
	..	..	20,000	85,680	12,91,060

*Calculation is based on Rs. 80.

Scheme for the first year—(concluded)

Items of expenditure	Nonrecurring	Recurring	Total		Progressive total
			Non-recurring	Recurring	
1	2	3	4		5
	Rs.	Rs.	Rs.	Rs.	Rs.
CHAPTER XIV					
GENERAL RECOMMENDATIONS					
(28) Quarters for superintendents of district jails.	2,20,000	..	..	..	..
(29) Reserve quarters for officers—2 for central prisons and 1 for district jails each.	1,30,000	..	..	..	..
(30) Reserve quarters for warders—1 bachelor block for each jail.	1,50,000	..	..	..	..
(31) Three motor trucks for Central Prisons, Lucknow, Fatehgarh and Naini.	18,600	..	..	..	..
(32) Sixty bicycles for central and district jails.	8,000	..	..	..	..
			5,26,600	..	18,17,660

SCHEME FOR THE SECOND YEAR

[illegible]

Scheme for the second year—(continued)

Items of expenditure	Non-recurring	Recurring	Total		Progressive total
			Non-recurring	Recurring	
1	2	3	4		5
	Rs.	Rs.	Rs.	Rs.	Rs.
CHAPTER VI					
TREATMENT OF PRISONERS					
(3) Provision of better type of kitchens.	1,16,000				
(4) Reduction in the life of cotton clothing.	..	1,21,700			
(5) Provision of waist-coat and woollen tops to prisoners above the age of 50 years.	..	30,600			
(6) Provision of shoes to prisoners with sentences of six months or over.	..	36,500			
(7) Increase in the number of latrines.	50,000				
(8) Construction of bathrooms in jails.	80,000				
(9) Electrification of important jails where electricity is available.	2,50,000				
(10) Supply of soap to all prisoners for bathing*	..	50,000			
(11) Electric motor pumps for wells and laying of pipe lines to barracks, yards and staff quarters.	4,00,000				
			8,96,000	2,38,800	12,27,440
CHAPTER IX					
JAIL INDUSTRIES AND AGRICULTURE					
(12) Substitution of treadle machines by electric machines.	10,500	1,500			
(13) Installation of machines to supplement shoe manufacture.	6,500				

*Calculation is based on a population of 25,000 and at the rate of 2 chhataks per month per prisoner. Rate of soap approximately Rs. 50 per maund.

Scheme for the second year—(continued)

Items of expenditure	Non-recurring	Recurring	Total		Progressive total
			Non-recurring	Recurring	
1	2	3	4		5
	Rs.	Rs.	Rs.	Rs.	Rs.
CHAPTER IX—(concl'd.).					
JAIL INDUSTRIES AND AGRICULTURE—(concl'd.)					
(14) Installation of metal works at the Aligarh District Jail.	27,500	12,200			
(15) One additional salesman	..	600			
(16) Two supervisors for shoe manufacture in the (proposed) scale of Rs. 150—10—200.	..	3,600			
(17) Two assistant supervisors for shoe manufacture in the (proposed) scale of Rs. 100—5—150. -	..	2,400			
(18) One textile supervisor in the (proposed) scale of Rs. 150—10—280.	..	1,800			
(19) One master weaver in the (proposed) scale of Rs. 60—4—80.	..	720			
(20) One designer in the (proposed) scale of Rs. 150—10—250.	..	1,800			
(21) Two kundigars in the (proposed) scale of Rs. 50—2—60.	..	1,200			
(22) Opening of Agricultural farms for Central Prisons*.	1,00,000				
Total	1,44,500	25,820	13,97,760

*Land is already available except at Agra. Funds will be required for watering arrangements, garden tools and for a barrack for accommodating workers out side the jail. This experiment may be tried in the central prisons, to start with.

Scheme for the second year—(concluded)

Items of expenditure	Non-recurring	Recurring	Total		Progressive Total
			Non-recurring	Recurring	
1	2	3	4		5
	Rs.	Rs.	Rs.	Rs.	Rs.
CHAPTER X					
REFORMATORY MEASURES AND AMENITIES					
(23) Twelve Pandits for central prisons in the (proposed) scale of Rs. 25— $\frac{1}{2}$ —35.	..	3,600			
(24) Six Maulvis for central prisons in the (proposed) scale of Rs. 25— $\frac{1}{2}$ —35.	..	1,800			
(25) Pandits for other jails in the (proposed) scale of Rs. 25— $\frac{1}{2}$ —35	..	15,000			
(26) Maulvis for other jails in the (proposed) scale of Rs. 25— $\frac{1}{2}$ —35	..	15,000			
				35,400	14,33,160
CHAPTER XIV					
GENERAL RECOMMENDATIONS					
(27) Quarters for Superintendents of district jails.	6,16,000				
(28) Reserve quarters for officers.	1,90,000				
(29) Reserve quarters for warders—one bachelor block for each jail.	1,98,000				
(30) Three motor trucks for Central Prisons, Agra, Bareilly and Banaras.	18,600				
			10,22,600	..	24,55,760

SCHEME FOR THE THIRD YEAR

Items of expenditur	Non-recurring	Recurring	Total		Progressive Total
			Non-recurring	Recurring	
1	2	3	4		5
	Rs.	Rs.	Rs.	Rs.	Rs.
CHAPTER VI					
TREATMENT OF PRISONERS					
(1) Increase in the number of latrines.	50,000				
(2) Construction of bathrooms in jails.	80,000				
			1,30,000	..	1,30,000
CHAPTER VIII					
MODEL PRISON AND STAR CLASS PRISONERS					
(3) Construction of a model prison.	40,00,000				
(4) Cinema apparatus for the model prison.	30,000				
(5) Radio set for the model prison.	1,000	100			
(6) Psychiatrist in the (proposed) scale of Rs. 250—25—400—30—700—50—850.	..	3,000			
(7) One head teacher in the (proposed) scale of Rs. 60—4—80—4—100*.	..	960			
(8) Four teachers in the (existing) scale of Rs. 60—4—80—4—100.	..	2,880			
			40,31,000	6,940	40,37,940
CHAPTER IX					
JAIL INDUSTRIES AND AGRICULTURE					
* (9) Opening of Agricultural farms for district jails.	1,00,000				
(10) Opening of Agricultural farms for central prisons.	1,00,000				
			2,00,000	..	42,37,940
Grand total for the three years	..	..	76,48,400	9,92,960	86,41,360

*Calculation is based on Rs. 80.

CHAPTER XVI

SUMMARY OF RECOMMENDATIONS.

308. The following is a summary of our recommendations :—

CHAPTER III

ADMINISTRATION

(1) There should be a Prison Commission for the general superintendence, control and inspection of jails (paragraph 36).

(2) The Prison Commission should consist of a Chairman and two Members. A Secretary should be appointed to assist the Commission (paragraph 36).

(3) The Chairman of the Commission should be in general charge of the administration and should look after the diet, clothing, health, sanitation, etc. of prisoners. One Member should be in-charge of jail industries and agriculture and the other Member in general charge of the institutions for juveniles and adolescents and reforms generally (paragraph 37).

(4) It should be the duty of the Commission's Secretary to advise the Commission on penal matters and to be in-charge of routine office work (paragraph 38).

(5) The Prison Commission may be appointed from any branch of provincial services, but ordinarily, preference should be given to the United Provinces Jails Service. In case no suitable member of provincial service is available a person from outside may be appointed (paragraph 40).

(6) The scale of pay for the Chairman should be equivalent to that of the Inspector General of Prisons, that of Members Rs. 1,000 to Rs. 1,500, and that of the Secretary Rs. 700—25—1,000, pay to be fixed considering service and seniority (paragraphs 40 and 41).

(7) The appointment of the Commission's Secretary should also be made from a provincial service or the probation service (paragraph 41).

(8) The Chairman should preside at the meetings of the Commission which should normally meet twice a month (paragraph 42).

CHAPTER IV

PRISON ESTABLISHMENT

(9) It is desirable that the offices of Superintendent and Medical Officer in central prisons should be combined in one and that the posts of Superintendent of central prison should continue for the present to be reserved for medical men (paragraph 45).

(10) In the selection of Superintendents of central prisons, preference should be given to ex-military men with experience of handling large bodies of men (paragraph 46).

(11) Superintendents of central prisons should be delegated the power of inspecting the district jails lying within their circle. They should at the same time be relieved of some of their routine duties by Deputy Superintendents (paragraph 47).

(12) Deputy Superintendents of central prisons should be selected from the cadre of whole-time Superintendents of district jails and in addition to their grade pay they should be granted a special pay of Rs. 100 (paragraph 48).

(13) Whole-time Superintendents should be appointed for all district jails (paragraph 51).

(14) Whole-time Superintendents should mostly be recruited from outside but a certain percentage of the posts should be reserved for departmental candidates (paragraph 52).

(15) Subordinate jail staff should be increased by 25 per cent. (paragraph 53).

(16) The designation of 'clerk' should be changed to that of 'assistant jailor' (paragraph 54).

(17) 50 per cent. of deputy jailers should be recruited directly and 50 per cent. from amongst the assistant jailers (paragraph 54).

(18) Minimum qualification for assistant jailers should be a bachelor's degree (paragraph 55).

(19) There should be a service of jail accountants (paragraph 56).

(20) There should be a service of jail typists (paragraph 57).

(21) Deputy jailers and assistant jailers should not be transferred out of their own circle as far as possible (paragraph 58).

(22) The present system under which medical officers from the Provincial Medical Service are deputed to the Jail Department should continue (paragraph 61).

(23) Paid nursing attendants should be provided in jail hospitals at the rate of 3 for a unit jail of 300 prisoners and 1 per cent. for jails which have a population of less than 300 (paragraph 63).

(24) Convict nursing orderlies should be retained (paragraph 63).

(25) The Committee suggests the medical establishment for various classes of jails (paragraph 64).

(26) Jail medical officers, at present shared by the police or other departments, should be employed exclusively on jail work (paragraph 65).

(27) The minimum qualifications for warders should be Vernacular Final Pass (paragraph 66).

(28) Temporary posts of warder that have been in existence for three years or more should be made permanent (paragraph 67).

(29) Warders should be allowed to stay at one jail for about three years (paragraph 68).

(30) Warders on transfer should draw travelling allowance as allowed to third class government servants (paragraph 69).

(31) Specialist warders, e. g. cooks, carpenters, tailors, etc. should be employed in jails (paragraph 70).

(32) Convict warder and convict overseer classes should be abolished (paragraph 73).

CHAPTER V

JAIL TRAINING SCHOOL

(33) The present Jail Training School should be converted into a first class institute of social work and research (paragraph 78).

(34) The proposed institute should have an eminent sociologist or psychiatrist as its director who should be assisted by capable lecturers (paragraph 79).

(35) The period of training for jail officers should continue to be of nine months' duration (paragraph 83).

(36) The period of training for warders should be of four months' duration (paragraph 84).

(37) In addition to the jail holidays, the school should have some more holidays (paragraph 85).

(38) Such of the present staff as has put in satisfactory service of not less than three years should be confirmed (paragraph 95).

(39) Cadets at the school should get their grade pay (paragraph 98).

CHAPTER VI

TREATMENT OF PRISONERS

(40) Greater variety should be introduced in *dals* and vegetables supplied to prisoners (paragraph 102).

(41) Prisoners should be served special meals on jail holidays and important festivals (paragraph 103).

(42) Prisoners accustomed to non-vegetarian diet should be allowed mutton once a week (paragraph 104).

(43) The scale of cook-warders should be one warder for every 500 prisoners (paragraph 105).

(44) Kitchens should be improved (paragraph 106).

(45) The blanket-coat should be replaced by a coat made of better material (paragraph 108).

(46) The period of life of cotton clothing should be reduced (paragraph 109).

(47) Prisoners above the age of 50 years should be allowed one woollen waist-coat and one woollen *topa* during the winter (paragraph 110).

(48) All prisoners with a sentence of six months or over should be provided with shoes or *chappals* (paragraph 111).

(49) Prisoners should be provided with brass lotas (paragraph 112).

(50) The number of latrines should be increased and better type latrines built (paragraph 113).

(51) Jails should be provided with bath-rooms (paragraph 114).

(52) All large jails should be electrified (paragraph 115).

(53) Soap should be supplied to all prisoners (paragraph 116).

(54) Jail hospitals should be improved (paragraph 117).

(55) Patients should be permitted to sleep outside in the plains during the summer (paragraph 118).

(56) Jails should be provided with anti-malaria equipment (paragraph 119).

(57) Convicts sentenced to simple imprisonment should be encouraged to work (paragraph 122).

(58) It is a wholesome principle to put under-trial prisoners to work provided they agree to it (paragraph 123).

(59) Flogging as a jail punishment should be abolished (paragraph 125).

(60) Cellular confinement as a jail punishment should be abolished (paragraph 127).

(61) The punishment of cross-bar fetters should be abolished (paragraph 128).

CHAPTER VII

CLASSIFICATION OF PRISONERS

(62) The Committee suggests a revised classification of prisoners (paragraph 132).

(63) Classification should continue to be made by courts (paragraph 133).

(64) The Committee suggests special treatment for political prisoners (paragraph 137).

(65) There should be a star class for well behaved casual prisoners (paragraph 138).

(66) Classification into 'habitual' should be made with great care (paragraph 140).

(67) There should be a special institution for mentally deficient prisoners (paragraph 143).

(68) There should be no racial distinction in the classification of prisoners (paragraph 144).

(69) The present classification of prisoners into 'A', 'B', or 'C', should be abolished (paragraph 145).

(70) Classification of prisons is also desirable (paragraphs 146 and 147).

CHAPTER VIII

MODEL PRISON AND STAR CLASS PRISONERS

(71) Star class prisoners should be accommodated in a separate jail to be known as model prison (paragraph 149).

(72) The Committee suggests the construction and establishment of a model prison (paragraph 150).

(73) Prisoners in the model prison should receive better treatment than ordinary prisoners but there should not be any differentiation in the matter of diet and clothing (paragraph 151).

(74) A cinema apparatus should be installed in the model prison (paragraph 152).

(75) A radio reception set should also be installed (paragraph 153).

(76) Frequent lectures on useful and educative subjects should be arranged (paragraph 154).

(77) A canteen should be established inside the model prison from which prisoners may buy ordinary articles (paragraph 155).

(78) A progressive stage system should be introduced (paragraph 156).

(79) The question of the introduction of the system of payment of wages to prisoners should be considered (paragraph 158).

CHAPTER IX

JAIL INDUSTRIES AND AGRICULTURE

(80) A prisoner should be initiated in the training of that craft only for which he is best suited (paragraph 161).

(81) All forms of manual labour which are uninteresting and humiliating to the convict should be abolished (paragraph 162).

(82) All the central prisons and the larger district jails should be provided with electric flour mills. Those jails which do not have electricity available should be provided with diesel oil engines (paragraph 165).

(83) Treadle sewing machines at the Kanpur and Unnao District Jails should be replaced by electric machines (paragraph 167).

(84) Electric hand-saw machines should be installed at Naini and Bareilly Central Prisons (paragraph 168).

(85) Wool spinning plant and a rag-tearing machine should be installed at the Agra Central Prison (paragraph 170).

(86) The manufacture of shoes at the Agra jails should be mechanised (paragraph 171).

(87) Metal works should be started at the Aligarh District Jail (paragraph 172).

(88) Some other industries, e. g. hosiery, hose tops and laces should be introduced in jails (paragraph 173).

(89) Electricity should be made available at all central prisons and the larger district jails (paragraph 174).

(90) The post of the Director of Jail Industries should be made permanent and its status should be raised to that of a Deputy Director of Industries in the Industries Department (paragraph 175).

(91) There should be an additional salesman at the Jails Depot (paragraph 176).

(92) Certain additional staff for jail industries is recommended (paragraphs 177 and 178).

(93) Advantage should be taken of the scheme of occupational training sponsored by the Industries Department and a few seats should be reserved for the Jail Department (paragraph 182).

(94) Agricultural farms should be started in jails (paragraph 183).

CHAPTER X

REFORMATORY MEASURES AND AMENITIES

(95) Prisoners should be granted three days' remission for good conduct and three days' remission for industry and work per month (paragraph 196).

(96) Prisoners should be granted remission up to a total of one-third of the sentence (paragraph 197).

(97) A prisoner having no punishment for three years should be allowed two months' good conduct remission (paragraph 198.)

(98) The existing procedure regarding revising boards should continue (paragraph 200.)

(99) The list of barred sections prescribed in rule 3 of the Probation Rules should be carefully revised and only persons convicted of heinous offences deprived from the benefit of the Probation Act (paragraph 201).

(100) Enquiry into a prisoner's antecedents should, where there is a Probation Officer, be made by him alone (paragraph 202).

(101) The previous practice under which prisoners likely to die within three months could be released in anticipation of Government's sanction should be restored (paragraph 204).

(102) Prisoners with specially good conduct should be released on a parole for a month after they have completed three years of their sentence with remissions (paragraph 206).

(103) The possibilities of extension of the system of paying cash gratuities to prisoners should be explored (paragraph 210).

(104) *Gur* should be given to prisoners putting in specially good work (paragraph 211).

(105) Prisoners should be allowed to receive all letters as and when they are received (paragraph 213).

(106) Liberal use should be made of the provisions of paragraph 693 of the Jail Manual (paragraph 214).

(107) Interview rooms should be constructed in jails (paragraph 215).

(108) When prisoners are transferred to another jail, intimation should be sent to their homes (paragraph 216).

(109) We should dispense with the exclusive reliance on the agency of convict teachers for adult education (paragraph 219).

(110) There should be one head teacher and four teachers in every central prison, two teachers in every first or second class district jail and one teacher in other jails. These teachers should be trained men (paragraph 219).

(111) There should be regular classes and regular examinations (paragraph 219).

(112) Jail libraries should be improved (paragraph 221).

(113) Forfeiture of the privilege of borrowing books from the jail library is not a suitable form of punishment and should not be resorted to (paragraph 221).

(114) The present rules regarding the supply of newspapers and books should be changed so as to allow prisoners any papers of their choice provided they are not considered objectionable (paragraph 222).

(115) Magic lantern lectures should be arranged in jails more frequently (paragraph 223).

(116) Social welfare workers should be permitted to visit jails and talk to prisoners on matters of health and hygiene (paragraph 223).

(117) The agency for imparting religious education should be paid and not honorary (paragraph 226).

(118) There should be two Pandits and one Maulvi in every central prison and one Pandit and one Maulvi in each of the larger district jails (paragraph 226).

(119) In addition to the paid staff, private preachers should be occasionally invited to deliver lectures to prisoners. These honorary lecturers should be paid at least a conveyance allowance (paragraph 226).

(120) Arrangements should be made in all jails for inexpensive games like *kabaddi*, volley-ball, football (paragraph 228).

(121) Inter-jail tournaments and sports should be encouraged (paragraph 228).

(122) Physical training should be given to each prisoner (paragraph 228).

(123) A physical instructor should be appointed in each central prison (paragraph 228).

(124) Prisoners should be allowed to sing for a short time every day (paragraph 231).

(125) Radio sets should be installed in as many jails as possible (paragraph 231).

(126) Radio sets may also be accepted from private donors (paragraph 231).

(127) Musical instruments should be provided to prisoners who express a desire for them (paragraph 231).

(128) Panchayat system should be revived and further developed (paragraphs 232 and 233).

(129) Prisoners should be supplied with tobacco (paragraph 234).

(130) Prisoners, who so desire, should be permitted to retain their hair, moustache and beard (paragraph 234).

CHAPTER XI

PREVENTIVE MEASURES

(131) Vigorous efforts are necessary in certain directions in order to prevent crime (paragraph 239).

(132) Certain provisions of the law providing for compulsory imprisonment should be amended (paragraph 241).

(133) The system of awarding short sentences should be given up (paragraph 244).

(134) There should be special institutions for old and infirm prisoners who are beyond reclamation where they should stay for the rest of their lives unless earlier release is recommended (paragraph 246).

(135) Surveillance over persons conditionally released under section 401 of the Code of Criminal Procedure should be exercised by probation officers or such other special officers and not by the police (paragraph 247).

CHAPTER XII

TREATMENT OF JUVENILE AND ADOLESCENT OFFENDERS

(136) There should be a Children's Act in the Province (paragraph 268).

(137) Children between the ages of 7 and 12 years should be received in Children's Homes (paragraph 269).

(138) Remand Homes and Juvenile Courts should be started at Agra, Allahabad, Banaras, Kanpur and Lucknow (paragraph 269).

(139) Remand Homes or Schools should be placed under the charge of Probation Officers (paragraph 269).

(140) Juvenile Courts should consist of a bench of magistrates including a lady magistrate (paragraph 269).

(141) The Juvenile Jail, Bareilly, should at once be converted into a Borstal Institution (paragraph 273).

(142) The Borstal Act should be put into operation and courts authorized to send casual adolescent offenders between the ages of 16 and 21 years direct to the Borstal Institution (paragraph 273).

(143) An additional Borstal Institution for habitual adolescent offenders is also necessary (paragraph 274).

(144) Some changes in the probation system are recommended (paragraph 278).

CHAPTER XIII

AFTER-CARE OF PRISONERS

(145) A general drive should be launched to enlist the support of all employers of labour in providing work to deserving discharged prisoners (paragraph 287).

(146) Discharged Prisoners' Homes should be started in all important towns of the Province (paragraph 288).

(147) A settlement should be started for professional habituals (paragraph 289).

CHAPTER XIV

GENERAL RECOMMENDATION

(148) Conditions of service of jail officials should generally be improved (paragraph 291).

(149) No jail official should be required to be on duty for more than eight hours continuously (paragraph 292).

(150) Number of holidays for jail staff should be increased (paragraph 293).

(151) Quarters should be provided for all jail staff and improved type of quarters built (paragraph 295).

(152) Reserve quarters should be constructed for jail officers and warders (paragraph 296).

(153) Primary schools should be started in jail premises where jails are situated far from the city (paragraph 297).

(154) Conveyance should be provided for the school-going children of jail staff where jails are situated far from the city (paragraph 298).

(155) A prison medal should be instituted (paragraph 299).

(156) Each central prison should be provided with a motor lorry (paragraph 300).

(157) Each district jail should be provided with bullock carts with rubber wheels (paragraph 300).

(158) Central prisons should be provided with two bicycles each and all district jails with one bicycle each (paragraph 301).

(159) Laundries should be started in jails with arrangements for ironing (paragraph 302).

(160) All jails should be provided with sewing machines and tailor shops started to repair prisoners' clothing and to alter warders' uniform (paragraph 303).

(161) Jails situated in the heart of the city should be disposed of and new jails on modern lines built (paragraph 304).

CHAPTER XVII

CONCLUSION

309. Before the Committee could finish its work, Lt.-Col. M. A. Jafarey was appointed as the Deputy Director General, I.M.S., and Lt.-Col. G. R. Oberai succeeded him as the Inspector General of Prisons. After his departure from the United Provinces, Col. Jafarey's association with the Committee practically ceased.

310. The Committee would like to place on record its thanks to the numerous gentlemen—official and non-official—who responded to its invitation and helped it with their advice and suggestions. The Committee is also grateful to its Member-Secretary for his suggestions and for drafting of the report.

GOVIND SAHAI.

GOPI NATH SRIVASTAVA.

MUHAMMAD SHOKAT ALI KHAN.

M. A. JAFAREY.

KAMLAPATI TRIPATHI.

G. R. OBERAI.



APPENDIX A OFFICERS CLASS

Subjects	Nine months' theory (Hours of lectures)	Nine months' practical
1. Criminology and Penology	180	Classes in case-history and crime statistics in Jail Training School and Reformatory School, Seminar classes (60 meetings), i.e. 120 periods.
2. Psychology	180	Practical classes within the School laboratory and case-history and Seminar classes (60 meetings), i.e. 120 periods.
3. Prison Administration ..	150	Practical work in the school and in local jails to learn office, factory and godown work, filling of registers and training in prison administration (60 meetings), i.e. 120 periods.
4. Hygiene and Sanitation	40	Demonstration in School, local jails and Institute of Hygiene and Public Health.
5. Accounts and Budget ..	40	Practical work in the School.
6. Jail Industries—		
(a) Weaving	32	Practical classes in central jail (12 periods) for showing various aspects of weaving fabrics and working of looms.
(b) Dyeing	32	Practical classes in central jail (12 periods) for demonstrating the actual process of dyeing yarn and dyes and chemicals used.
7. Agriculture	32	Cadets to visit central jail six times to see the field operations and cultivation work. Demonstration of agricultural implements will be given in the school and in field.
8. Building	32	Cadets to visit local jails six times to see the buildings under construction. Demonstration in school to learn and appreciate the quality of the materials used.
9. First-Aid	32	Practical demonstrations with lectures.
10. Law	6	Lectures on— Nature of crime and criminal law, imprisonment, simple and rigorous, general limitation on the sentence of imprisonment. Powers of courts and evidence, and demonstration in courts of the procedure of trials in courts.
11. Finger-print	6	.. ..
12. Probation	12	.. ..

SYLLABUS

SOCIOLOGY—

Development of society and sociability;
Family, caste, class, clan, group;
Taboos, customs, conventions, traditions, mores;
Religion;
Law;
Public opinion;
Propaganda.

CRIMINOLOGY—

- Definition and scope ;
- Concepts of crimes, legal, sociological and biological ;
- Crimes and criminals ; classification ;
- Modern theories of crimes ;
- Factors of crime-biological and physical, psychological and social ;
- Juvenile Delinquency.

PENOLOGY—

Treatment of crime

- .. (a) Social control ;
- (b) Evolution of punishment ;
- (c) Penological theories ;
- (d) Methods of punishment ;
- (e) Origin and growth of prison system ;
- (f) Modern prison administration ;
- (g) Treatment of prisoners ;
- (h) Modern correctional principles and practices ;
- (i) Practices and institutions ;
- (j) Probation and after-care ;
- (k) Prison labour.

PSYCHOLOGY—**I. *Human behaviour and its determinants—***

General character of the individual's responses and their primary conditions ; original and conditioned responses.

II. *Growth and development of individual experience—*

Crises in the course of growth : Infantile, pubertal, adolescent and adult stages in the history of individual's development.

Individual differences : their study and technique of measurement.

III. *Causation and Etiology of the crises—*

- Crises due mainly to three factors ..
- (i) Inner disorganisation ;
 - (ii) Environmental stress ;
 - (iii) Hereditary factors.

(1) *Inner disharmony*—The chaos of impulses, resentments, ambitions, adventure, emotional conflicts. Effect of social suggestions, social contrasts and mal-adjustments and disease, development of 'complexes'.

(2) *Environment—*

Physical environment—Strenuous life and unfavourable surroundings ; desire to escape from them, e.g. lying and theft as escape' motives.

Economic environment—Poverty, economic contrasts.

Familiar and Social environment.—Natural tendency towards imitation of parent (criminal).

(3) *Motives or Natural Drives*—Organic need ; maternal motive ; the escape motive fear and anger ; fight ; exploration and manipulation motives ; social motives ; self-assertion and mastery motives ; hunger and sex ; conflict of motives ; sublimation ; defence mechanisms, repression and unconscious motives ; unconscious motives of crime.

IV. *Personality Types—*

Physical Types ; Kretschmer's Typology and other Type-studies.

Criminal.—Types—The introvert and extrovert criminal ; the manic criminal, etc. personality tests and measurements and case studies ; Neurotic inventories,

V. *Intelligence and crime*—

Mental deficiency, sub-normality, etc. measures of sub-normality.

VI. *Abnormalities of social behaviour*—

Pathological lying ; swindling and false accusation, etc., causes and treatment.

Suggestibility and crime.

Neurosis and crime.

Psychological approach to the problems of vagrancy, prostitution and petty crimes.

VII. *The socialization and rehabilitation of the juvenile and the adult offenders.*

A. *Institutional treatment*—

(1) Effect of the prison community on the inmates. Comparison of inmate-attitudes and the attitudes of a free man. Problems of morale and discipline in prison.

(2) The correctional school. Methods of education, social guidance and vocational training. Psychological aspects of correctional and rehabilitations work in the United Provinces. Comparative study of institutes for juvenile delinquents in the United States.

B. *Non-Institutional treatment*—

(1) Socialization through play.

(2) Re-education in the school and in the home.

(3) Psychotherapy and other forms of clinical treatment.

VIII. *The causation of crime and delinquency*—

A. Accidental delinquency.

B. Delinquency of feeble-minded children.

C. Neurotic delinquency or delinquency due to a need for punishment.

D. Delinquency as a symptom of psychosis.

E. Delinquency in a normally formed personality due to community attitudes.

F. Delinquency due to lack of love.

IX. *Practical*—

A. Psychological examination and mental tests :

(1) Physical and vital capacity tests ;

(2) Aesthesometric tests.

(3) Intelligence tests ; Verbal and performance tests.

(4) Muscular and mental co-ordination ;

(5) Memory and Image type ;

(6) Mental work, etc. ;

(7) Suggestibility ;

(8) Free-association tests ;

(9) Personality tests :

(a) Emotionality.

(b) Neurosis.

(10) Aptitude (vocational tests).

B. Case studies—

Books recommended—

- (1) Wright : The Elements of Sociology ;
- (2) Gillin and Gillin : An Introduction to Sociology ;
- (3) Gillin : Criminology and Penology ;
- (4) Reckless : Criminal Behaviour ;
- (5) Sutherland : Principles of Criminology ;
- (6) Reckless : Juvenile Delinquency ;
- (7) Walter : Juvenile Delinquency ;
- (8) Healy and Bronner : New Lights on Delinquency ;
- (9) Cyril Burt ; The Young Delinquent ;
- (10) Jones : Juvenile Delinquency and the Laws ;
- (11) Anastasi : Differential Psychology ;
- (12) Healy : Personality in formation and action ;
- (13) Aichhorn : Wayward Youth ;
- (14) Smith : Psychology of criminal ;
- (15) Woodworth : Psychology ;
- (16) Healy and Bronner : One thousand Juvenile Delinquents ;
- (17) Gillispie : Handbook of Psychiatry ;
- (18) English and Pearson : Common Neuroses of adults and children.

APPENDIX B

WARDERS CLASS

Subjects	Theory Classes	Practical work
1. Criminology & Penology (Juvenile Delinquency).	60	..
2. Psychology	60	..
3. Prison administration ..	60	Practical training in school and local jails in taking parades of prisoners, alarms, working of control watch and writing of Gate Books, etc., and witnessing the actual working of prison administration, watch and ward in the local jails.
4. Hygiene and Sanitation	24	Demonstration in school and local jails—6.
5. Jail Industries—		
(a) Weaving	12	Demonstrations in central jail factories to see actual working—(6 periods).
(b) Dyeing	12	Demonstration in central jail on the actual process of yarn and various kinds of chemicals and dyes used—(6 periods).
6. Agriculture	12	Demonstration in central jail four times to see the field operations and cultivation work. Demonstration of agricultural implements in the school and fields.
7. Building	12	Demonstrations in local jails four times to see the buildings under construction and practical classes in the School to learn and test the quality of the materials used.
8. First-Aid	12	Lectures with demonstrations.
9. Finger Print	6	..

SYLLABUS

Psychology—

1. Psychology and its importance in social life.
2. (a) Natural development of the child, his basic needs, tensions and conflicts.
(b) Parental influence with special reference to importance of love and aggression in the formation of habits and character.
3. Intelligence and crime.
4. (a) Personality and its measurement.
(b) Criminal personality and how to deal with it.
5. Causation of crime : heredity, environment, etc.
6. Psychological aspects of correctional and rehabilitation work with special reference to the United Provinces.

7. Psychology in relation to Prison Administration.

(a) How to handle inmates.

(b) Qualities of the guard necessary for their successful treatment.

Sociology—

Family.

Population.

Village.

City.

Social Pathology (Disorganisation)

Individual's place in society.

Customs.

Traditions.

Caste.

Groups.

Classes.

Criminology—

Nature of crime.

Types.

Criminal behaviour.

Crime and society.

Crime and responsibility.

Causes of crime.

Criminal tribes.

Juvenile delinquency.

Probation.

After-care.

Reformatory.

Penology—

(a) Agencies of Social control.

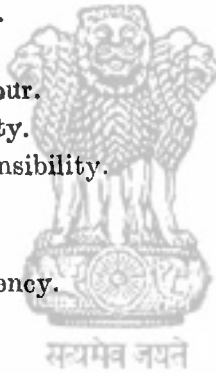
(b) Classification of prisoners.

(c) Prison administration.

(d) Correctional institutions.

(e) Prison labour.

(f) After-care.



APPENDIX C

APPARATUS FOR THE PSYCHOLOGY LABORATORY

Physical and Vital Capacity Tests

1. Hand and Log Dynamometer.
2. Spirometer.

Aesthesiometric Tests

1. Aesthesiometer.

Intelligence tests : Verbal and Performance Tests

- | | |
|-----------------------------|----------------------------------|
| (a) 1. Knox's Cube. | 4. Seguin Form Board. |
| 2. Kohs' Block Design Test. | 5. Porteus Maze. |
| 3. Healey Form Board. | 6. Tapping. |
| (b) 1. Northumberland Test. | 3. Cattell's Intelligence Scale. |
| 2. West Riding Test. | |

Muscular and Mental Co-ordination.

1. Mirror Drawing Board.
2. Card Sorting.
3. Peg Board.

Memory and Image type.

1. Exposure apparatus : Tachistoscopes.

Suggestibility

1. Suggestibility Board.

Mental Work, etc.

1. Stop watch.

Free Association Tests

1. Ink-blots.

All apparatus can be had from Baird and Tatlock, London.

Books

- | | |
|---|--|
| 1. Cattell—A guide to Mental Testing. | 4. Dreyer and Collins—Performance Tests. |
| 2. Whipple—Manual of Physical and Mental Tests. | 5. Pintner-Paterson—Performance Tests. |
| 3. Beck—Introduction to the Rorschach Method. | 6. Pintner—Intelligence Testing. |

APPENDIX D

1. SCALES OF DIET FOR VEGETARIAN AND NON-VEGETARIAN POLITICAL PRISONERS

Food stuff					Diet scale for meat eaters	Diet scale for vegetarians
					Mds. srs. chs.	Mds. srs. chs.
(1) Wheat	..	..	..	..	0 0 6	0 0 6
(2) Rice	..	..	..	..	0 0 3	0 0 3
(3) Dal	..	..	..	..	0 0 1	0 0 2
(4) Meat	..	..	..	..	0 0 4	..
(5) Milk	..	..	..	..	0 0 4	0 0 9
(6) Butter or ghee	..	..	..	..	0 0 1	0 0 ½
(7) Mustard oil	..	..	..	..	0 0 ½	0 0 ½
(8) Sugar	..	..	..	..	0 0 1	0 0 1
(9) Tea or	..	..	..	..	0 0 ½	0 0 ½
Milk	..	..	..	..	0 0 2	0 0 2
(10) Vegetables (of which not more than 4 chhattaks may be potatoes).	..	..	..	..	0 0 8	0 0 8
(11) Spices	..	..	..	..	0 0 ½	0 0 ½
(12) Salt	..	..	..	..	0 0 ½	0 0 ½
(13) Amchur or	..	..	..	..	0 0 ½	0 0 ½
chatni, or	..	..	..	..	0 0 ½	0 0 ½
lime juice	..	..	..	..	0 0 ½	0 0 ½
(14) Fruit	..	..	..	..	Two annas three times a week.	Two annas five times a week.
(15) Fuel	..	..	..	..	0 2 0	0 1 8

2. SCALES OF CLOTHING FOR MALE AND FEMALE POLITICAL PRISONERS

A—Male convicts

*Summer scale*Two *dusuti* coats.Two *dusuti* Pants.Two *garha* shirtsTwo *garha* drawers or *dusuti tikonies*
and one blanket.

One *topi* or cap, one pair of full slippers with socks or one pair of chappals, one pillow, two pillow cases and two *dusuti* sheets. One piece of *dusuti* cloth and two towels shall be provided in addition to these articles.

Winter scale

One brown flannel coat.

One pair brown flannel pants.

Two *garha* shirts.Two *garha* drawers or two *dusuti tikonies*,
three blankets and one woollen jersey.

B—Female convicts

*Summer scale*Two *dusuti* dresses or two *garha* sarees (In addition to summer scale).
and two *garha* jackets.

One pair each of necessary under-clothes

*Winter scale*Two flannel dresses or one woollen long
coat reaching down to the knee.

B—Female convicts—(concluded)

Summer scale

Two pairs of stockings.
One blanket.
Two pillow cases.
Two towels.
One pair of full slippers or one pair of
chappals.
One *topi*, if required.

Winter scale

Three blankets.
One cardigan.

3. Each political prisoner should also be provided with the following articles.

One iron bed with *durrie* stretcher or *ban* top.
One small table.
One stool.
One lamp.
One plate.
One tumbler.
One cup.
One spoon.
One *thali*.
One *lota*.

This class of prisoners should also be given the following additional concessions :

- (1) They should be allowed to shave once daily and to use their own safety razor ;
(2) Woman prisoners should be allowed to use *sendur* and *bindes* ;
(3) They should be allowed one piece of soap weekly, tooth brushes or *neem* sticks, hair oil, mirrors and combs.